

UC-NRLF



5C 238 525

M. S. Boush
S. S.

15606

University of California.

FROM THE LIBRARY OF

DR. FRANCIS LIEBER,

Professor of History and Law in Columbia College, New York.

THE GIFT OF

MICHAEL REESE,

Of San Francisco.

1873.

DOCUMENTS
DEPT.



Digitized by the Internet Archive
in 2008 with funding from
Microsoft Corporation





THE RULES
OF THE
HOUSE OF REPRESENTATIVES,
OF THE
GENERAL ASSEMBLY OF SOUTH CAROLINA.
VARIOUS ACTS AND RESOLUTIONS,
CONTAINING
STANDING ORDERS OF THE HOUSE.
THE
Constitution of the State of South Carolina :
AND THE
CONSTITUTION OF THE UNITED STATES.

PRINTED BY ORDER OF THE HOUSE OF REPRESENTATIVES.

COLUMBIA, S. C.
A. G. SUMMER, STATE PRINTER.

.....
1847.



JK4276
.A2

DOCUMENTS
DEPT.

15606

THE RULES
OF THE
HOUSE OF REPRESENTATIVES.

ADOPTED, DECEMBER, 1838.





THE RULES

OF THE

HOUSE OF REPRESENTATIVES:

ADOPTED, DECEMBER, 1838.

RULE I.

At the hour to which the House shall have been adjourned, on any day, the Clerk shall call the roll; and immediately thereafter, the Speaker shall take the Chair, and call the Members to order. If a quorum be present, the Journal of Proceedings of the day preceding, shall be read, and corrected, if necessary. If a quorum, then, or at any other time, be not present, the Members present, if twenty or more, may send for the absent Members; and all questions as to expenses, or further proceedings against such absent Members, shall be determined when a quorum shall be present.

RULE II.

When the House is called to order, every Member shall take his seat, and shall, during the sitting, act with the decorum becoming a gentleman. The Members may keep on their hats while actually sitting in their respective seats, but at all other times they shall be uncovered, (except such as shall be conscientiously restrained from uncovering their heads.)

RULE III.

The hour to which the House shall stand adjourned, every day, shall be 10 o'clock, A. M. of the succeeding day, (except the Sabbath,) unless otherwise ordered by the House.

RULE IV.

The Speaker shall preserve order and decorum; if any Member, in speaking or otherwise, transgress the Rules of the House, or Parliamentary Law, as practised or recognized by the House, the Speaker shall, or any Member may, call him to order.

RULE V.

If a Member be called to order, while speaking, he shall immediately take his seat, until the question of order be decided, unless allowed to proceed upon explanation. If the decision be in favor of the Member, he shall proceed; if otherwise, he shall not proceed without leave of the House, and if the case require it, he shall be liable to such other proceedings as the House may take.

RULE VI.

If one Member on the floor call another to order, for words spoken, the exceptionable words shall be taken down in writing, by the Member objecting, then read, admitted, denied, or explained, by the Member who spoke, and handed to the Chair; upon which, the question of order shall be decided, and proceedings had, as provided in the 5th Rule.

RULE VII.

If in any matter, repeated cries of order shall not produce order, the Speaker may call, by his name, any Member obstinately persisting in irregularity; whereupon, if the Speaker deem it necessary, he shall state the offence committed; the Member may be heard in his exculpation, and shall withdraw, and the House shall consider of the punishment to be inflicted, or further proceedings to be had.

RULE VIII.

In case of any disturbance, or disorderly conduct in the gallery or lobby, the Speaker, or Chairman of the Committee of the Whole, shall have power to order the place to be cleared; or any Member may move for such order; and any person guilty of a contempt of the House, may be ordered into custody by the House, and dealt with as may by it be deemed proper.

RULE IX.

All questions of order shall be determined by the Speaker, in the first instance, without debate, or with such debate as the Speaker, at his discretion, may permit; but any Member may appeal to the House, from the decision of the

Speaker, on which appeal no Member shall speak more than once, without leave of the House.

RULE X.

The Speaker may give information, or explain any matter before the House; he may speak on points of order, in preference to other Members, and as often as he may deem necessary; but he shall not enter into other debate, or endeavor to influence any question before the House.

RULE XI.

Every Member, when about to speak, shall rise from his seat, and respectfully address himself to "Mr. Speaker;" and in speaking, shall avoid disrespect to the House, or to the Senate, and all personalities; and he shall confine himself to the question under consideration.

RULE XII.

The Speaker, when addressed by a Member who rises in order, shall name the Member, using no title but that of "Mr." The Member who shall rise first in order, shall be first heard, and if several rise about the same time, the Speaker shall decide who was first up.

RULE XIII.

No Member shall speak more than twice to the same question, without leave of the House, except merely to explain his meaning, even if the debate on the question should be continued for many days.

RULE XIV.

If any Member shall absent himself without leave, he may be sent for, and made to pay expenses, and kept in custody, at the discretion of the House.

RULE XV.

Upon a call of the House being ordered, the Clerk shall call the roll of Members, and note the absentees; the names of the absentees shall then be called over at such intervals, and as often, as the House may direct; proclamation may be made, and messengers sent to require the attendance of Members; and if the House should not dispense with further proceedings, the doors may be closed; absentees, (for whom no sufficient excuse is made,) may be taken into custody as they appear, or they may be sent for and taken into custody wherever to be found, and each detained in custody, and made to pay fees, at the discretion of the House.

RULE XVI.

The fees of the regular Messenger, or of any special Messenger, to be appointed by the House, shall be two dollars for any arrest; for each day's custody and releasement, one dollar; for travelling expenses, going and returning, ten cents a mile.

RULE XVII.

All Committees shall be appointed by the Speaker, unless otherwise specially directed by the House; in which case, they shall be appointed by ballot.

RULE XVIII.

As soon as practicable, after the first meeting of the Legislature, succeeding a general election, twenty-three Standing Committees shall be appointed, to serve until the next general election, or until a special order to the contrary be made by the House, to wit:

A Committee on Privileges and Elections, to consist of Members who received the highest number of votes in their several Districts and Parishes; one from every Congressional District in the State, and so many others as will make eleven in the whole.

A Committee of Ways and Means, to consist of nine Members.

A Committee on Federal Relations, " "

A Committee on the Judiciary, " "

A Committee on Internal Improvements, " "

A Committee on Claims, " "

A Committee on the Military, " "

A Committee on Roads, Bridges and Ferries, "

A Committee on Public Buildings, " "

A Committee on Incorporations, " "

A Committee on Education, " "

A Committee on Accounts, " "

A Committee on Colored Population, " "

A Committee on District Offices and Officers, "

A Committee on Agriculture, " "

A Committee on Grievances, " "

A Committee on the Lunatic Asylum, " "

A Committee on Pensions, " "

A Committee on the Public Printing, to consist of seven Members.

A Medical Committee, " "

A Committee on Vacant Offices, " "

A Committee on Engrossed Acts, to consist of five Members.

A Committee on the Legislative Library, " "

RULE XIX.

Any Member appointed to serve on a Committee, may be excused by the House, and he shall be entitled to claim his excuse, if he be at the time of his appointment a member of three other Committees.

RULE XX.

After a Committee has been appointed, no addition to it, or change shall be made, on motion, except to fill a vacancy, or excuse a Member.

RULE XXI.

No Member shall be appointed of a Committee, before he shall have been sworn, and have taken his seat. Any Member who shall be sworn after the general announcement of the Committees, shall, within a few days afterwards, be placed by the Speaker on one or more Standing Committees, even although the number of the Committee should thereby be extended beyond the regular number.

RULE XXII.

A majority of a Committee shall, when assembled, constitute a quorum for business. If the Members fail, to the probable delay or neglect of business, to form a quorum, upon the summon of the Chairman, or if individual Members frequently fail to attend the meetings of the Committee, the Chairman shall report the delinquency to the House, which shall, in its discretion, take order for the censure of the delinquents, or other suitable proceeding.

RULE XXIII.

No Committee, without special leave, shall sit during the sitting of the House, except that the Committee on Engrossed Acts, and any Committee of Conference, may sit at any time, and may report at any time when a message might be received. All Committees shall have leave to report by bill or otherwise.

RULE XXIV.

If, upon a question taken by acclamation, the Speaker doubts, or a division be called for, the House shall divide, by those in the affirmative first rising from their seats—then those in the negative. If the Speaker still doubts, or a count be required, the Speaker shall name one Member from each side, to tell the numbers in the affirmative, and those in the negative, and from their report shall state the decision.

RULE XXV.

Upon any question, at the request of any seven Members, who may signify their request by rising, the ayes and noes shall be ordered; whereupon, at the decision, the Clerk shall call the roll and take the names of all who vote aye, and of all who vote no, which he shall enter on the Journals, and cause to be printed in any Gazette in this State.

RULE XXVI.

When a question is to be taken by ayes and noes, after the House is ready for the question, and the same has been stated, and the first response has been made to the Clerk's call, the debate shall cease, the door keeper shall close the door, and keep it closed until the decision shall have been announced by the Speaker. After the door has been thus closed, no Member, when called by the Clerk, shall say more than "aye" or "no." Every Member who may be in the House, when called, shall (unless the House shall have before excused him, or shall afterwards excuse him from voting on the question,) give his vote, under the penalty of such proceeding as the House may, after the decision, in its discretion, adopt to punish his contempt. No Member shall, under any circumstances, be permitted to vote after the decision shall have been announced by the Chair. After the decision of the question, a Member absent, may be permitted to record the vote he would have given, if present, but such vote shall not affect the previous decision.

RULE XXVII.

No Member shall vote on any question of a private nature, in the event of which he is directly interested.

RULE XXVIII.

The Speaker shall vote in all cases, (except when he may be directly interested, or shall be excused,) his name being called last in the ayes and noes. If with his vote, the House be equally divided, the question shall be decided in the negative.

RULE XXIX.

No motion shall be debated, until it shall have been seconded, and stated by the Speaker. When moved and seconded, any motion shall, if desired by the Speaker, or any other Member, be reduced to writing, and delivered in at the table and read, before it shall be debated.

RULE XXX.

No Member shall, in a speech, or on other occasion, read in his place, any book or paper, (except a report or resolution he is submitting,) if objection be made, without leave of the House, which must be asked without debate. When the reading of any book or paper from the desk is called for, and objection made, the question shall be determined by the House, without debate.

RULE XXXI.

The mover may withdraw any question or proposition, before amendment or decision.

RULE XXXII.

One day's notice, at least, shall be given by a Member, of his intention to ask leave to introduce a bill, and upon the motion for leave to introduce, being seconded, after the notice, the mover may be heard as to the nature and merits of his proposition, but no other debate on the question of leave shall be allowed.

RULE XXXIII.

Every bill, before presentation, shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper, its prayer or substance; and in every instance, the name of the Member presenting any paper shall be endorsed, and the paper shall be presented by the Member to the Speaker, at the desk.

RULE XXXIV.

When any motion or proposition shall be made, before any debate or order on the subject, the Speaker at his pleasure may, or upon the demand of any Member shall, put the question, "Will the House now receive this?" which question shall be decided without debate; and if it be decided in the negative, the matter shall be as if not presented, and shall not again be presented that day. If no such question be put, the matter, if in order, shall be received without question. In like manner, upon any petition, or other paper, the question of receiving may be made, but otherwise, it shall be received and disposed of.

RULE XXXV.

A question before the House shall be suspended by—1, a Message; 2, a Report of the Committee on Engrossed Acts; 3, a Report of a Committee of Conference; 4, question of order; 5, a question of privileges; 6, a question of taking a recess; 7, any other incidental question, such as of reading papers, dividing a question, withdrawing a motion, excusing a member from voting, or the like; of which, the six first named may suspend even a speech, provided that the sixth, if once negatived, be not received during the same speech, without the assent of the Member speaking.

RULE XXXVI.

When a question is under debate, no motion, (besides those mentioned in the next preceding rule,) shall be received, except—1, to adjourn; 2, to proceed to the orders of the day; 3, to lay on the table; 4, to postpone indefinitely, or to a day beyond the session; 5, to adjourn the debate to a day certain within the session; 6, to commit or re-commit; 7, to amend; which several motions shall have precedence in the order in which they are here arranged; and of these, the first and second may be permitted to interrupt a speech, subject to the provisions contained in subsequent rules.*

RULE XXXVII.

A motion to strike out the enacting words of a bill, or resolving words of a resolution, shall have precedence of a motion to amend, and if carried, shall be considered as equivalent to rejection.

RULE XXXVIII.

In filling a blank with any number or date, the largest number, and shortest date proposed, shall be first put.

RULE XXXIX.

When a motion to refer shall be made, and different Committees be named, the question shall be taken in the following order, viz: the Committee of the Whole; Standing Committees; a Select Committee.

RULE XL.

Subject to the exceptions contained in the five rules next preceding, the question first moved shall be first put.

* See Rules 43—42.

RULE XLI.

Any Member may, without debate, call for the division of a question, and the House may divide it if it shall appear to comprehend questions so distinct, that one being taken away, the rest may stand entire for decision. A motion to strike out and insert, shall be deemed indivisible; but a motion to strike out being lost, shall not be deemed equivalent to agreement, nor shall it preclude either amendment or a motion to strike out and insert.

RULE XLII.

Motions to adjourn;

- “ to take a recess;
- “ to lay on the table;
- “ to take up from the table;
- “ to take up any matter in the orders of the day not regularly reached;
- “ to proceed to the orders of the day;
- “ to discharge, lay aside for the day, depart from, or suspend the orders;
- “ to postpone indefinitely, or to a day beyond the session;
- “ to adjourn a debate;

shall be decided without debate, after such short conversations as the Speaker may permit.

No motion to lay on the table;

- “ “ to postpone or adjourn a debate;
- “ “ to proceed to the *general* orders of the day; or
- “ “ to commit,

having been negatived, shall be again allowed at the same stage of the bill or proposition, within one hour of the time when the question was before negatived.

RULE XLIII.

Motions for adjournment, shall always be in order, except whilst the House is actually engaged in deciding a question by ayes and noes, or in balloting; but a motion to adjourn having been negatived, no new motion to adjourn shall be in order until fifteen minutes shall have elapsed from the decision of the former motion.

RULE XLIV.

Indefinite postponement shall dispose of the question for the session.

RULE XLV.

When a question shall have been once decided, in the affirmative or negative, any Member who voted in the majority, may, on the same day, or the next day of the sitting of the House, move for a re-consideration thereof; provided, that the bill, resolution, message, report, amendment, motion, or other paper, upon which the vote was taken, shall not have gone out of the possession of the House, announcing the former decision.

RULE XLVI.

The first reading of a bill shall be for information—no amendment shall then be in order. If opposition be then made to the bill, the question shall be, “Shall this bill be rejected?” If no opposition be made, or if the question to reject be lost, the bill shall be ordered for a second reading without a question.

RULE XLVII.

When a bill shall be taken up for a second reading, and not before, it shall be referred to some Committee, unless the House unanimously agree, without debate, to dispense with a reference.

RULE XLVIII.

The second reading of a bill shall be clause by clause—recurrences not being allowed, unless by leave of the House, upon motion, without debate. After the bill shall have been read, and all amendments and privileged motions (if any) disposed of, the question shall be, upon a bill originating in the House, “Shall this bill be sent to the Senate?” Upon a bill which came from the Senate, “Shall this bill be returned to the Senate?” Upon a decision in the affirmative, the order shall be made accordingly—a decision in the negative, shall be a rejection.

RULE XLIX.

At the third reading of a bill, the bill shall be read entire, without question, except that the Speaker shall call the attention of the House, to amendments made by the Senate, since the second reading in the House, and shall take the vote of the House upon any such amendment, either when the amendment is reached, or at the end of the clause into which it shall have been introduced. The question then shall be, in the case of a bill which originated in the House, “Shall this bill pass?” A decision in the negative, shall be a rejection; upon a decision in the affirmative, the order shall be made without question, that the title of the bill be changed, and that it be called an act, and sent to the

Senate. In the case of a bill which originated in the Senate, the question shall be, "Shall this act pass?" A decision in the negative, shall be a rejection. Upon a decision in the affirmative, the order shall be made without question, that the act be returned to the Senate.

RULE L.

An Act which originated in the House, having been returned from the Senate, after its passage, shall be committed to the Committee on Engrossing Acts.

RULE LI.

At the third reading of a bill, no rider or amendment, shall be permitted without unanimous consent, except that the Chairman of the Committee of Ways and Means may, (if he shall have given notice at the second reading, of his intention to offer amendments at the third,) be permitted to offer amendments to any bill to raise supplies, or to make appropriations, such as may be pertinent to the bill: and provided that the House may, in its discretion, commit or re-commit any bill at its third reading; and in such case, there shall go with the bill, to the Committee, any amendments which any Member, at the second reading, may have given written notice of his intention to offer at the third reading; and after the Report of the Committee, any amendment which it shall recommend, may be adopted.

RULE LII.

No bill shall be read a third time, on the day fixed for the adjournment of the Legislature.

RULE LIII.

All bills reported by a Committee, shall of course be printed, together with the Report of the Committee, unless the House shall specially dispense with printing: no other paper shall be printed without the order of the House.

RULE LIV.

Any bill, report, petition, or other paper, which may come before the House, may be committed or re-committed before a final decision thereon.

RULE LV.

The Speaker may, whenever he may think it necessary, order any bill, after its second reading, or any resolution, report, or other paper, which has been under consideration, to be fairly engrossed,

RULE LVI.

No motion or proposition on a subject materially different from that under consideration, shall be admitted under color of amendment; and no clause shall be inserted or introduced into a bill, which does not relate to the general objects of the bill.

RULE LVII.

Orders of the Day shall be special or general: Special, when a particular day, at a particular hour, may be specially appointed, for a particular matter; General, when a matter is ordered for consideration or action, on a day subsequent, without special preference given to it. Any member may insist upon a special order of the day, or other special order, until it be discharged. A General Order of the Day shall always require the special assent of the House, before it be proceeded in or executed.

RULE LVIII.

Every bill which shall be ordered for a second reading; every report of a Committee, and every original resolution received from any member, shall be ordered for consideration on the next day of sitting after the order, and shall be placed in its turn in the general Orders of the Day; and each paper in the general orders, shall have priority according to the date of the last order for consideration made upon it: *Except*, that the House may make a *special* order for the consideration of any subject, on any day subsequent; or may agree to take up any matter in the Orders of the Day, before it be reached in order; or may consider any report or resolution on the day it may be submitted, provided TEN Members do not signify objections to doing so by rising, when called on for that purpose, if a proposition so to consider be made to the House; and *except* that, a bill reported by a Committee shall be read a first time when the report may be received, and ordered for consideration along with the report; and that a report made by the Committee of Privileges and Elections, on any question relating to elections, may be considered whenever the House may direct; and that a report of Committee of the Whole, or of the Committee of Engrossed Acts, or of a Committee of Conference may be considered whenever the House shall direct.

RULE LIX.

All questions as to priority of business, or as to the time when any matter shall be considered, or ordered for consideration, and as to a departure from the regular order of business, shall be decided without debate.

RULE LX.

When the House shall not direct a different course, which, at any time, in any particular not forbidden by these Rules, it may do, the following order of business shall be enforced every day, by the Speaker, unless departed from by leave of the House :

1. After the reading of the Journals, the Speaker shall present to the House communications on the Speaker's table, intended to give information, or to be referred ; messages and papers from the Senate, requiring immediate action, or not likely to lead to debate, including of course, reports from the House, concurred in by the Senate, and returned ; bills twice read in the Senate, and to be read a first time in the House ; reports from the Senate, to be referred in the House, or laid on the table, until reports of the House on the same subjects, are to be considered ; Acts to be committed to the Engrossing Committee.

2. The Speaker shall call for petitions, memorials, presentments of Grand Juries, returns of Commissioners, and such like papers, to be presented by Members and disposed of.

3. The Speaker may, on any day, and shall, on Tuesdays and Fridays, call for reports of Committees : first the Standing, then the Special Committees.

4. The Speaker shall call for resolutions, bills and motions, to be presented by individual Members.

5. The Speaker shall present any messages or papers from the Senate, on subjects likely to produce division in the House, which, without hindrance of business, may be delayed until this time ; and bills requiring a third reading.

6. The House not ordering to the contrary, the orders of the day shall be taken up at the beginning, or at the point where they were last interrupted, and be continued until the House adjourn ; or direct these orders to be suspended, or departed from, for the purpose of taking up some other matter.

7. The Orders of the Day having been disposed of, or laid aside, and no special direction for other business having been given by the House, the Speaker shall call for *motions to take up matters on the table*.

RULE LXI.

A motion to take up any matter which lies on the table, may be made, either when the Speaker calls for *motions*, or when he calls for *motions to take up matters on the table*, if the matter be such as should not properly be in the Orders of the Day.

But if the matter be such as has been in the Orders of the Day, or would regularly have been placed there, if not laid on the table, a motion to take it

up, shall be made only when *motions to take up matters on the table*, have been called for: EXCEPT as follows:

At any time when no question is before the House, a motion to take up any matter on the table, may be made by *unanimous* consent:

A motion to take up from the table any matter, may be made, whensoever a subject with which it is proper to be considered, is presented for consideration:

A motion may at any time, when the House is not engaged upon another question, be made to take up a bill, or other paper, *for the purpose* of placing it in the Orders of the Day, or of referring it, or of making an order relating to the printing of it:

At any time when the House is engaged in the Orders of the Day, a motion may be made to take up any matter, which having been in the orders of the day, was laid on the table, when called for consideration *in the course of the orders*:

A motion to take up any matter on the table, or to take up any matter not reached in the Orders of the Day, having been negatived, shall not be renewed within one hour, if *objection be made*.

RULE LXII.

During the first two weeks of the session, the Orders of the day shall not be taken up, nor any bill read a third time, before 12 o'clock meridian.

RULE LXIII.

The Clerk of the House, shall cause to be printed and laid on the tables of the Members, every morning, the orders of the preceding day, arranged according to priority, and numbered from the commencement of the session—every matter being introduced and numbered anew after every new order upon it, and the substance of the order being summarily stated, as “Bill, &c., ordered for a second reading;” “Report of Committee, &c., on bill, &c., ordered for consideration;” “Report on bill, &c., taken from the table and ordered for consideration.”

RULE LXIV.

A debate interrupted by a simple adjournment, shall afterwards be resumed at the point of interruption, as if the debate had been formally adjourned. If the matter under debate be in the orders, general or special, it shall first be taken up when next the orders are taken up, unless a special order to the contrary be made by the House; if it be a matter not in the orders, it shall be taken up at the next meeting, before any other question is presented, except

incidental questions, and such matters on his table as the Speaker may think necessary to present, and such questions as the House may give special leave to be first presented. In like manner, and with like exceptions, a matter interrupted by a call for the Orders of the Day, shall, after the orders have been disposed of, or laid aside, and such matters as may be taken up from the table, have been disposed of, or after adjournment, be resumed at the point of interruption, before any other question.

RULE LXV.

Messages may be received at any time whilst the door is open, except whilst a question is putting, or a ballot is taking, (the latter exception, not to apply to messages from the Senate, asking leave for Senators to deposite their ballots.) A message shall be presented to the House by the Speaker, when received, or afterwards, according to its nature and the business in which the House is engaged; or its consideration may, on motion, be ordered by the House.

RULE LXVI.

The Reading Clerk shall prepare, in writing, present to the Speaker for his signature, and bear all messages to the Senate, ordered by the House, unless a different form of sending any message, be ordered by the Speaker, or the House. The Reading Clerk shall read all papers to be read at the desk, which the Speaker may direct him to read, the Speaker being specially responsible that all amendments ordered by the House, be correctly made, and that the attention of the House be called to all amendments made by the Senate, since the matter was before the House. The Reading Clerk shall also be charged with the duty of having executed, in a prompt and accurate manner, all the Printing executed by the rules or orders of the House.

RULE LXVII.

The prayer of no petition nor memorial shall be granted, nor shall any report from the Senate be concurred in, until there has been a report from a Committee of the House, on the said petition or memorial, or on the said report of the Senate, or on the matter of the said report, unless the report of its Committee shall be dispensed with by the House, unanimously, without debate.

RULE LXVIII.

No resolutions concerning Managers of Elections, or places of Election, or Justices of the Peace, or Quorum, or Commissioners for District purposes, &c. such as is proper to be embraced in a general report of the Committee of Privileges and Elections, or the Committee on Vacant Offices, or other Committee,

shall be received, until the general report, into which it might be introduced, shall be under consideration, or shall have been disposed of.

RULE LXIX.

No Contingent Account of any District Officer, shall be received by the House, which does not come to the House by the Comptroller-General.

RULE LXX.

No Member shall take any Books or Papers from the possession of the House or Clerk, without first acquainting the Clerk; and, if required, giving him a receipt to return the same in a reasonable time, or on his demand.

RULE LXXI.

In forming a Committee of the Whole, the Speaker shall leave the Chair, and appoint a Chairman to preside over the Committee.

RULE LXXII.

The Rules of the House, so far as they may be applicable, shall be observed in a Committee of the Whole, the Chairman being substituted for the Speaker, except the rule limiting the times of speaking on a debatable question; but no Member of the Committee shall speak on the same question oftener than twice, until every other Member choosing to speak, has spoken.

RULE LXXIII.

No Committee of the Whole, or other Committee, shall deface or interline a bill or other paper referred to, but shall report any amendments recommended, on a separate paper, noting the page and line.

RULE LXXIV.

After the second week of the Session, no petition or memorial of a private nature, shall be received; nor shall leave be granted to any Member for the introduction of a bill, after the third week.

RULE LXXV.

The Speaker may name a Member to fill his place, during his occasional absence from the Chair—but such substitution shall not extend beyond an adjournment.

RULE LXXVI.

If the Speaker should be absent at any meeting after an adjournment, a Speaker *pro tempore*, shall be elected to hold the office until the Speaker return, his absence be excused, and his desire to resume his duties be expressed.

RULE LXXVII.

The Speaker, when the Standing Committees are announced, shall appoint a Cashier and Deputy Cashier of the House ; whose duty severally it shall be to countersign drafts ordered by the House and signed by the Speaker, and to prepare the pay bill of every member, when he may obtain leave of absence, or the House may adjourn *sine die* : present the pay bills to the Speaker for his signature, countersign them, and deliver them to the Members ; taking special care that no Member shall receive his pay bill before the adjournment, who has the intention to depart from the House without leave.

RULE LXXVIII.

No other title or addition, except "Mr." shall be used by the Speaker or Clerk, in calling the name of any Member of the House.

RULE LXXIX.

No person, not a Member or Officer of the House, shall be admitted within the Bar, without the special leave of the House. Besides the Members and Officers of the House, the following persons, and no others, shall be admitted within the Hall, namely, the Members and officers of the Senate ; Members of Congress ; the Governor and Suite ; Lieutenant Governor ; Judges ; former Governors ; the Comptroller General ; Attorney General ; and Solicitors ; President of the Bank ; Treasurer of the State ; Surveyor General ; Printer of the House ; Secretary of State ; and the President and Professors of South Carolina College ; also, such persons as may be invited by the Speaker, or by order of the House. All persons in the gallery and lobby shall be uncovered, and all persons, not Members of the House, shall be uncovered whilst in the hall.

The Door-keeper and Messenger are charged with the enforcement of this Rule.

RULE LXXX.

None of the foregoing Rules shall be rescinded, suspended, or altered without the concurrence of two-thirds of the Members present, after one day's previous notice of a motion to rescind, suspend, or alter, has been given.

RULE LXXXI.

In all particulars not determined by these Rules, or by the Laws or Constitution of this State, or of the United States, the practice of the House shall conform to its previous usage, or be guided by Parliamentary Law, as it may be collected from the best authorities.

TO : The President
 FROM : The Secretary
 SUBJECT: [Illegible]

1. [Illegible]

2. [Illegible]

3. [Illegible]

4. [Illegible]

Very respectfully,
 [Illegible Signature]

INDEX

TO

THE RULES OF THE HOUSE OF REPRESENTATIVES.

The Figures refer to the Rules as numbered.

A.

	Rule.
<i>Absence of Speaker</i> - - - - -	76
<i>Absentees, at meeting or other time</i> - - - - -	1, 14
" upon a call of the House - - - - -	15
" when yeas and nays are taken - - - - -	26
<i>Account, contingent</i> - - - - -	69
<i>Act, when title of Bill changed to</i> .. - - - - -	49
" sent or returned to Senate - - - - -	49, 60
" returned from Senate - - - - -	50, 60
<i>Address to Chair</i> - - - - -	11
<i>Adjourn, motion to, privileged</i> - - - - -	36
" . " may interrupt speech - - - - -	36
" " not debateable - - - - -	42
" " always in order, except in ayes and noes, and ballot- ing, and except that it is not renewable within 15 minutes - - - - -	43
<i>Adjournment, interrupting debate</i> - - - - -	64
" after matter interrupted by the Orders of the Day, - - - - -	64
" of debate, prevents speaking more than twice - - - - -	13, 64
" " results from interruption by simple adjournment - - - - -	64
" " motion for, privileged - - - - -	36
" " " not debateable - - - - -	42
" " " not renewable within an hour - - - - -	42
<i>Admission of persons within the bar, and within the hall</i> - - - - -	79

	Rule.
<i>Amend, motion to, privileged</i>	36
" " postponed by motion to strike out enacting or re-	
solving words	37
" " not precluded by motion to strike out	41
<i>Amendment prevents withdrawal of proposition</i>	31
" not in order at the first reading of the bill	46
" at second reading, to be disposed of	48
" by Senate, how to be treated at the third reading	49
" " the attention of the House to be called to, by Speaker,	66
" not permitted at the third reading, with certain exceptions	51
" must be pertinent	56, 51
" ordered by the House, the Speaker is responsible that it be	
correctly made	66
" to be reported by Committee, on a separate paper	73
<i>Appeal from Speaker</i>	9
<i>Arrest of Member</i>	14, 15, 16
" of other person	8
<i>Assent of Member speaking, as to motion for recess</i>	35
<i>Ayes and Noes, how ordered and taken,</i>	25, 26
" " Speaker's name called last in	28
" " prevent adjournment	43
" " prevent message,	55

B.

<i>Ballot, Committee appointed by, when</i>	63
<i>Balloting, prevents adjournment</i>	43
" prevents message	65
<i>Bar of House, who may be admitted within the</i>	79
<i>Bill, leave to report by</i>	23
" leave to introduce	32
" introduced by Member	60, 74
" to be endorsed	33
" enacting words stricken out	37
" first reading of	46, 60, 58
" second reading of	46, 47, 48, 58
" reference of	47, 54, 51, 50
" third reading of	49, 51, 52, 60, 62, 66

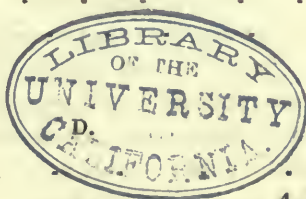
	Rule.
<i>Bill</i> title of, changed - - - - -	49
“ clause, impertinent in - - - - -	56, 51
“ reported by Committee - - - - -	53, 58
“ to be printed, when - - - - -	53
“ from Senate - - - - -	60, 62, 50
<i>Blank</i> of number or time - - - - -	38
<i>Books and papers</i> taken from House - - - - -	70
“ “ not to be read without leave - - - - -	30

C.

<i>Calendar</i> - - - - -	63
<i>Call</i> of roll - - - - -	1, 15, 25
“ of the House - - - - -	15
“ to order - - - - -	1, 2, 4, 5, 6
“ for the orders of the day, privileged - - - - -	36
“ “ “ not debatable - - - - -	42
“ “ “ not renewable for an hour - - - - -	42
“ “ “ debate interrupted by - - - - -	64
<i>Cashier</i> - - - - -	77
<i>Censure</i> of Member for disorder - - - - -	5, 7
“ of Committee or Members thereof - - - - -	22
<i>Chair</i> to be taken by Speaker or Chairman - - - - -	1
“ to be addressed - - - - -	11
<i>Chairman</i> of Committee, to summon Members and report delinquency - - - - -	22
“ of Committee of the Whole, - - - - -	71, 72, 8
“ of Committee of Ways and Means - - - - -	51
<i>Clause by Clause</i> - - - - -	48
<i>Clearing</i> of gallery or lobby - - - - -	8
<i>Clerk</i> , to call roll at meeting, - - - - -	1
“ to call roll, note absentees, upon a call of the House, - - - - -	15
“ to take ayes and noes, and have them printed - - - - -	25, 26
“ to prepare and furnish calendar - - - - -	63
“ books and papers from - - - - -	70
“ reading - - - - -	66
<i>Commissioners</i> for District purposes, - - - - -	68
“ returns of - - - - -	60
<i>Commit, motion to</i> , privileged - - - - -	36
“ “ when different Committees are named, - - - - -	39

	Rule.
<i>Commit, motion to</i> , not renewable within an hour - - -	42
“ “ may be made as to any matter before decision -	54
“ “ when may first made as to bill - - -	47
“ “ as to bill not to be dispensed with without unani- mous assent - - -	47
“ “ as to paper taken up from table - -	61
“ “ necessary as to all petitions, memorials, and reports from Senate, without unanimous assent -	67
<i>Commitment</i> of bill - - - - -	47, 51, 54
“ of act returned from Senate - - -	50
“ of other paper - - - -	67, 54
<i>Committees</i> , how appointed - - - -	17
“ standing, number, names, &c. - - -	18
“ Member excused from - - - -	19
“ vacancy in - - - -	20
“ no addition or change in, on motion - - -	20
“ no Member to be appointed on, before he is sworn -	21
“ Member sworn, to be appointed to one or more -	21
“ quorum of - - - -	22
“ delinquency of, or of Members of - - -	22
“ not to sit during sitting of House, except, &c. - -	23
“ different named, order of precedence - - -	39
“ bill to be referred to some, and when - - -	47
“ bills reported by, to be printed - - -	53
“ reports of, in general orders - - -	58
“ bill reported by, to be read when report is received -	58
“ report of, relating to Elections - - -	58
“ reports from, to be called for - - -	60
“ all petitions, reports from Senate, &c. to be referred to some - - - -	67
“ general reports from, concerning Managers of Elections, Justices, &c. - - -	68
“ shall not deface or interline bill or paper, - - -	73
<i>Committee, Special or Select</i> - - - -	39
“ of the <i>Whole</i> , how formed - - -	71
“ “ what rules for - - -	72
“ “ Chairman of, may order the gallery to be cleared - - -	8

	Rule.
<i>Committee of the Whole</i> , shall not deface or interline bill or paper	73
“ “ its report may be considered whenever the House shall direct	58
“ <i>of Privileges and Elections</i> , how constituted	18
“ “ “ its report may be considered whenever the House shall direct,	58
“ “ “ its general report as to Ma- nagers, &c.	68
“ <i>of Ways and Means</i> , its Chairman may introduce amend- ments at third reading of some bills	51
“ <i>on Engrossed Acts</i> , may sit and report at any time .	23
“ “ its report suspends question	35
“ “ its report may be considered whenever the House shall direct	58
“ “ Acts to be committed to	50, 60
“ <i>of Conference</i> may sit and report at any time, when, &c.	23
“ “ its report suspends question	35
“ “ its report may be considered whenever the House shall direct	58
<i>Communications on Speaker's table</i>	60, 64
<i>Constitution of State or United States</i>	81
<i>Contempt of House</i>	8
“ by Member in not voting	26
<i>Conversations</i> , short, admitted by Speaker	42
<i>Count</i> upon division of the House	24
<i>Cries of order</i>	7
<i>Custody</i>	8, 14, 15, 16
<i>Date</i> in blank	38
<i>Debate</i> , order in	4, 5, 6, 11, 30 36
“ times of speaking in	13, 72, 9
“ on appeal from Speaker	9, 10
“ suspended	35
“ interrupted by privileged question	36



	Rule.
<i>Debate interrupted</i> by adjournment	64
“ “ by the orders of the day	64
“ not allowed, on questions of order, except, &c.	9
“ “ after door closed, in ayes and noes	26
“ “ before motion seconded, stated, &c.	29
“ “ on leave to read paper, book, &c.	30
“ “ on leave to introduce bill, except mover	32
“ “ on question of receiving	34
“ “ on motion to divide question	41
“ “ “ to adjourn	42
“ “ “ to take recess	42
“ “ “ to lay on the table	42
“ “ “ to take up from the table	42
“ “ “ to take up matter in orders not regularly reached	42
“ “ “ to proceed to the orders	42
“ “ “ to discharge, lay aside, depart from or suspend the orders	42
“ “ “ to postpone indefinitely	42
“ “ “ to adjourn the debate	42
“ short conversations may be permitted	42
“ not allowed on dispensing with reference of bill	47
“ “ “ report as to petition, report from Senate, &c.	67
“ “ on recurrence to clause	48
“ “ on question of priority of business	59
“ “ on time of consideration	59
“ “ on question as to a departure from the regular order of business	59
<i>Decision, when equal division</i>	28
“ prevents proposition being withdrawn	31
“ of question of order	5, 9
“ by division, or by count of tellers	34
“ by ayes and noes,	25, 26
<i>Decorum</i>	1, 2, 4, 7, 8, 79
<i>Defacing</i> bill or paper	73
<i>Delinquency</i> of Committee	22

	Rule.
<i>Depart</i> from orders, motion to - - - -	42
<i>Departure</i> from the regular order of business - - -	59
<i>Deputy</i> Cashier - - - - -	77
<i>Discharge</i> of orders - - - - -	42, 57
<i>Discretion</i> of Speaker - - - - -	9, 42, 60, 64, 65 66
“ of House - - - - -	5, 7, 8, 14, 15, 22, 26, 60, 61
<i>Disrespect</i> - - - - -	11, 7, 26, 8
<i>Disturbance</i> in gallery or lobby - - - - -	8
<i>Division</i> of House - - - - -	24, 28
“ of question - - - - -	35, 41
<i>Door</i> closed - - - - -	15, 26, 65
<i>Door Keeper</i> - - - - -	26, 79

E.

<i>Election</i> of Speaker <i>pro tem.</i> - - - - -	76
<i>Elections</i> , managers and places of - - - - -	68, 18

See Committee of Privileges and Elections.

<i>Enacting</i> words of bill - - - - -	37
<i>Endorsement</i> of papers - - - - -	33
<i>Engrossing</i> ordered by Speaker - - - - -	55

See Committee of Engrossed Acts.

<i>Exculpation</i> - - - - -	7
<i>Explanation</i> - - - - -	5, 6, 10, 13
<i>Excuses</i> for absence - - - - -	15, 76, 35
“ from Committee - - - - -	19, 20
“ from voting - - - - -	26, 35, 28
<i>Expenses</i> - - - - -	1, 14, 15, 16

F.

<i>Floor</i> - - - - -	6, 12
<i>Fees</i> - - - - -	15, 16

G.

<i>Gallery</i> - - - - -	8, 79
<i>Gazette</i> - - - - -	25
<i>General Election</i> - - - - -	18, 68
“ <i>Orders</i> , what are, - - - - -	57
“ “ motion to proceed to, privileged - - -	36

	Rule.
<i>General Orders, motion to proceed to, may interrupt speech</i>	36
“ “ “ “ not debatable	42
“ “ “ “ not renewable within an hour	42
“ “ “ to take up matter in, not regularly reached, not debatable	42
“ “ “ “ not renewable within an hour, if objection be made	61
“ “ “ to discharge, lay aside, suspend, or depart from orders, not debatable	42
“ “ “ to take up matter on the table, which has been in the orders, or would regularly have been there, when it may be made, with exceptions	61
“ “ “ to take up matter, to put it in	61
“ “ “ House engaged in, motion to take up matter which has been in, and been laid on the table, when called in the course of	61
“ “ what shall be put in, and priority of	58
“ “ when to be taken up	60, 62
“ “ Calendar of, to be prepared by Clerk	63
“ “ matter in, interrupted by adjournment	64
“ “ matter interrupted by called for	64
<i>Gentleman</i>	2
<i>Governor and Suite and former Governors admitted</i>	79
H.	
<i>Hall</i>	79
<i>Hats</i>	2, 79
<i>Hour to which adjournment</i>	1, 13
“ must elapse before certain motions can be renewed	42, 61
“ quarter of, before motion for adjournment can be renewed	43
I.	
<i>Impertinent clause</i>	56, 51
“ speaking	11
<i>Incidental question</i>	35, 64
<i>Indefinite postponement</i>	36, 42, 44
<i>Information by Speaker</i>	10

	Rule.
<i>Influence of Speaker</i>	10
<i>Interest in question</i>	27, 28
<i>Interlining</i>	73
<i>Interruption of debate by adjournment</i>	64
“ “ by orders of day	64, 60
“ “ by privileged question	36
“ of speech	36, 35
<i>Intervals</i>	15
<i>Invited persons</i>	79

J.

<i>Journal</i>	1, 25, 26, 60
<i>Justices of Peace and Quorum</i>	68

L.

<i>Laws</i>	81
<i>Lobby</i>	8, 79
<i>Lay aside orders, motion to, not debateable</i>	42
“ “ effect of	60, 64
<i>Lie on table, motion privileged</i>	36
“ not debateable	42
“ not renewable within an hour	42
“ when matter on table may be called up	60, 61

M.

<i>Message suspends debate</i>	35
“ when to be presented by Speaker	60, 65, 64
“ consideration of, may be ordered on motion	65
“ may be received, when	65, 23
“ to be prepared, borne, &c., by Reading Clerk, except, &c.	66
<i>Memorials, how to be endorsed</i>	33
“ question of receiving	34
“ when to be presented	60
“ must be referred	67
“ not received after second week	74
<i>Motion must be seconded and stated, before it can be debated</i>	29
“ must be reduced to writing, if desired	29
“ may be withdrawn, when	31, 35

	Rule.
<i>Motion</i> , question of receiving	34
“ no addition to or change in Committee, on	20
“ s, privileged	35, 36, 37, 38, 39
“ first made, first put, with exceptions	40
“ s not debateable. <i>See Debate.</i>	
“ s to be called for in the order of business	60, 61
“ s to take up matters on the table, to be called for	60, 61
<i>See Questions: and the privileged and ordinary incidental motions, under their several heads.</i>	
<i>Mover</i> may withdraw proposition	31, 35
“ may speak to question of leave to introduce a bill	32
<i>Mr.</i>	78, 12

N.

<i>Names</i> called in roll	1, 15, 25, 26
“ “ by Speaker	7, 12
“ of Members presenting papers to be endorsed	33
<i>Notice</i> for leave to introduce bill	32
“ of amendments to be offered at third reading of bill	51
“ of motion to rescind, suspend or alter rules	80
<i>Number</i> in blank	38
“ of Committees	18, 21
“ of Members who may send for absentees	1
“ “ who may require ayes and noes	25
“ “ who may permit immediate consideration of report or resolution	58
“ “ who may alter rules, &c.	80

See Unanimous.

O.

<i>Oath</i>	21
<i>Objects of Bill</i>	56
<i>Objection</i> to reading book or paper	30
“ to consideration of report or resolution on the day it is submitted	58
“ to renew motion to take up matter	61
“ to take up matter on table when no question before House	61
“ to dispensing with reference of bill	47

	Rule.
<i>Objection to amendment at third reading of bill</i>	21
“ to dispensing with report on petition, report from Senate, &c.	67
<i>Once, no Member to speak more than</i>	9
<i>Order in House</i>	1, 2, 4, 7, 8, 79
“ in debate	4, 5, 6, 11, 30, 36
“ of business for every day, except, &c	60
“ “ questions as to departure from	59, 42
“ of precedence of motions	36, 35, 37, 38, 39, 40
“ questions of, suspends debate	35
<i>Orders of the Day, general and special, how distinguished</i>	57
<i>See General Orders and Special Orders..</i>	

P.

<i>Parliamentary Law</i>	4, 81
<i>Pay Bills</i>	77
<i>Personalities</i>	11
<i>Petition to be endorsed</i>	33
“ question of receiving	34
“ when to be presented	60
“ must be referred	67
“ not received after second week	74
<i>Postponement, indefinite, and to a day certain</i>	36, 42, 44
<i>Postpone, motion to, privileged</i>	36
“ “ not debatable	42
“ “ not to be renewed within an hour	42
“ “ carried indefinite equal to rejection	44
<i>See adjournment of Debate.</i>	

<i>Practice of House</i>	4, 81
<i>Precedence of motions</i>	35, 36, 37, 38, 39, 40
“ amongst Committees	39
<i>Presentation of papers by Members</i>	33
<i>Presentments of Grand Juries</i>	33, 60, 67, 34
<i>Printing</i>	53, 61, 63, 66
<i>Priority of matters</i>	58, 59, 60
<i>Private</i>	27, 74
<i>Privilege, questions of</i>	35, 58, 64
<i>Privileges and Elections. See Committee of Privileges and Elections.</i>	
<i>Privileged motions</i>	35, 36, 37, 38, 39, 40, 42, 48

	Rule.
<i>Privileged persons admitted to Hall</i>	79
<i>Proceedings at discretion of House</i>	5, 7, 8, 14, 15, 22, 26, 60
<i>Proclamation</i>	15

Q.

<i>Question first made, first put, with exceptions</i>	40
“ putting, prevents Message	65
“ by ayes and noes, prevents adjournment	43
“ “ how taken	25, 26
“ how decided, when equal division	28
“ withdrawn by mover	31, 35
“ suspended	35, 64
“ interrupted	64, 36
“ incidental	35, 64
“ divided	35, 41
“ to be stated by Speaker	29
“ to be adhered to in speaking	11
“ to be spoken to by some Member, how often	13, 72, 9
“ an appeal from Speaker	9, 10
“ order	5, 6, 9, 10, 35, 64
“ of privilege	35, 58, 64
“ relating to Elections	58
“ who first up	12
“ of receiving	34
“ of leave to read book, paper, &c	30, 35
“ of taking recess	35, 42
“ of withdrawing motion	35
“ of leave to introduce bill	32
“ of expenses or further <i>proceedings against absentees</i>	14, 15
“ of excuses for absence	15, 76, 35
“ “ from voting	26, 28, 35
“ “ from Committee	19, 20
“ of increasing or changing Committee	20
“ of filling blank of number or date	38
“ of re-consideration	45
“ between different Committees	39
“ dividing questions	41, 35
“ of striking out	37, 41

Rule.

<i>Question</i> of adjournment	-	-	-	-	36, 42, 43, 64
“ of adjourning debate	-	-	-	-	13, 36, 42, 64
“ of laying on table	-	-	-	-	36, 42, 61
“ of taking up	-	-	-	-	42, 58, 61
“ of indefinite postponement	-	-	-	-	36, 42, 44
“ commitment or re-commitment	-	-	-	-	36, 39, 42, 47, 51, 54, 67
“ amendment	-	-	-	-	36, 37, 41, 46, 51, 56
“ of proceeding to the Orders of the Day	-	-	-	-	36, 42
“ of discharging, laying aside, departing from, or suspending the Orders of the Day	-	-	-	-	42
“ of dispensing with reference	-	-	-	-	47, 64
“ of recurring	-	-	-	-	48
“ of priority of business	-	-	-	-	59
“ of departing from the order of business	-	-	-	-	59
“ of time of consideration	-	-	-	-	59
“ of considering Message	-	-	-	-	65
“ on first reading of bill	-	-	-	-	46
“ on second “	-	-	-	-	48
“ on third reading of bill	-	-	-	-	49
<i>Quorum</i> of House, to summon absentees	-	-	-	-	1
“ of Committee	-	-	-	-	22

R.

<i>Reading of Bill</i> , first	-	-	-	-	-	46
“ “ second	-	-	-	-	-	46, 47, 48, 66
“ “ third	-	-	-	-	-	49, 51, 52, 60, 62, 66
“ book or paper	-	-	-	-	-	30, 35
“ Clerk	-	-	-	-	-	66
<i>Receipt</i>	-	-	-	-	-	70
<i>Receiving</i> , questions of	-	-	-	-	-	34, 63, 69
<i>Recess</i>	-	-	-	-	-	35, 42
<i>Re-commit</i> , motions to, privileged	-	-	-	-	-	36
“ “ when different Committees are named	-	-	-	-	-	39
“ “ not to be renewed within an hour	-	-	-	-	-	42
“ “ motion may be made at third reading of bill and proceedings in that case	-	-	-	-	-	51
“ “ may be made as to any matter, before final decision	-	-	-	-	-	54
“ “ paper taken from table	-	-	-	-	-	61

	Rule.
<i>Reconsideration</i> - - - - -	45
<i>Recording Vote,</i> - - - - -	26
<i>Recurrences</i> - - - - -	48
<i>Reference.</i> See <i>Commit and Re-Commit.</i>	
<i>Rejection</i> - - - - -	37, 44, 45, 48, 49
<i>Release ment</i> - - - - -	16
<i>Report by bill</i> - - - - -	23, 53, 58
“ of Committee of Privileges and Elections - - -	58, 68
“ “ of Vacant Offices - - -	68
“ “ of Engrossed Acts - - -	23, 35, 58
“ “ of Conference - - -	23, 35, 58
“ “ of Whole - - -	58
“ general of any Committee - - -	68
“ from Senate - - -	60, 67
“ of House returned by Senate - - -	60
“ of amendments, how made - - -	73
“ at third reading of bill - - -	51
“ to be placed in general orders, unless, &c., - - -	58
“ when considered - - -	58
“ when to be printed - - -	53
“ may be re-committed - - -	54
“ to be called for, and when presented - - -	60
“ must be had on every bill, unless, &c. - - -	47
“ must be had on every petition, report from Senate, &c. - - -	67
“ its title at length must be endorsed - - -	33
<i>Rescision of rule</i> - - - - -	80
<i>Resolution, when to be presented</i> - - - - -	60
“ to be placed in general orders, unless, &c. - - -	58
“ when to be considered - - -	58
“ resolving words, strike out - - -	37
“ when to be engrossed - - -	55
“ may be committed or re-committed - - -	54
“ concerning Managers, Justices, &c. - - -	68
<i>Rider</i> - - - - -	51
<i>Rising</i> - - - - -	11, 12, 24, 25, 58
<i>Roll called</i> - - - - -	1, 15, 25, 26
<i>Rules of House</i> - - - - -	4, 80, 81

Rule.

	S.	
<i>Sabbath</i>	.	3
<i>Seat</i>	.	1, 5, 11, 21
<i>Seconding</i>	.	29, 32
<i>Select Committee</i>	.	39
<i>Senate</i> , disrespect to	.	11
“ bill from	.	60, 62
“ report from	.	60, 67
“ act from	.	50, 60
“ amendment from	.	49, 66
“ message from	.	35, 60, 64, 65
“ “ to	.	66
<i>Seven Members</i> may request ayes and noes,	.	25
<i>Speaker</i> to take Chair, and call House to order	.	1
“ to preserve order and decorum	.	4
“ to call Members to order	.	4
“ to call name of Member persisting in disorder	.	7
“ to order gallery or lobby to be cleared in case of disturbance	.	8
“ to decide questions of order	.	9
“ to give information or explanation	.	10
“ to speak on questions of order	.	10
“ not to debate or influence	.	10
“ to be addressed	.	11
“ to name Member rising, and decide who was first up	.	12
“ to appoint Committees	.	17
“ to place on Committee Members sworn after announcement of Committees	.	21
“ to direct division of House, if he doubts, upon acclamation	.	24
“ to name titles	.	24
“ to vote, his name called last in ayes and noes	.	28
“ to state questions	.	29
“ to put questions of receiving	.	34
“ to allow at discretion, short conversations on questions not debatable	.	42
“ to call attention to amendments of Senate, and take vote on them,	.	49, 66
“ to order engrossing, if he think necessary	.	55

	Rule.
<i>Speaker</i> to inforce prescribed order of business, unless House otherwise direct	60
“ to present communications on the table, and when	60
“ to call for petitions, memorials, &c.	60
“ “ reports	60
“ “ resolutions and bills, and motions by Members	60
“ “ motions to take up matter on table	60
“ to present messages and papers from Senate, and when	60, 65
“ to sign messages and direct the mode of sending them	65
“ to appoint Chairman of Committee of Whole	71
“ may name a Member to fill his place during occasional absence	75
“ in his absence, after adjournment, <i>Speaker pro tem.</i> to be elected	76
“ to appoint Cashier and Deputy Cashier	77
“ to sign pay bills	77
“ to use towards Members no title but “Mr.”	18, 12
“ may invite persons within the Hall	79
“ his decision in various instances	9, 42, 60, 64, 65, 66
<i>Special Order</i> , what it is, and may be insisted on, unless, &c.	57
“ “ may be made by House on any subject, unless, &c.	58, 60
“ “ motion to proceed to, may even interrupt speech	36
“ “ to discharge, lay aside, suspend, or depart from, not debatable	42
“ “ to take up matter to put it in	61
“ “ matter in, interrupted by adjournment	64
“ “ “ interrupted by call for	64
<i>Special Committee</i>	39
<i>Speech suspended</i> , when	35, 36
<i>Standing Committees</i>	18, 39
<i>Statement of Question</i>	26, 29
<i>Strike out</i> , motion to	37, 41
<i>Strike out</i> enacting words or resolving words	37
“ and insert motion to	41
<i>Substitution of Speaker</i>	75
<i>Suspension of Question</i>	35
“ Speech	35, 36
“ of Orders of Day	42, 60
“ of Rule	80
<i>Sworn</i> , Members to be, before appointment on Committee	21

Rule.

T.

<i>Table</i> , papers, motions, &c. to be delivered at	39, 33
“ motion to lay on	36, 42, 61
“ “ to take up	42, 59, 60, 61
“ papers on Speaker’s	60, 65
<i>Take up</i> , motion to	42, 59, 60, 61
<i>Tellers</i>	24
<i>Ten</i> Members objecting to consideration of report or resolution	58
<i>Time</i> of consideration	58, 59
“ for presenting different papers	60
“ in blank	38
“ before certain motions can be received	42, 43
“ of notices. <i>See Notice.</i>	
“ for Orders of Day, and third reading	62
“ after which no petitions, &c.	74
“ after which no bill by a Member	74
<i>Title</i> of Members	12, 78
“ of bill, report, &c., to be endorsed	33
<i>Travelling</i> expenses	16
<i>Twenty Members</i> may summon absentees	1
<i>Twice Speaking</i>	9, 13, 72
<i>Two-thirds</i> of Members present must concur to alter, &c. Rule	80

U.

<i>Uncovered</i>	2, 79
<i>Unanimous</i>	47, 51, 61, 67
<i>Usage</i> of House	81

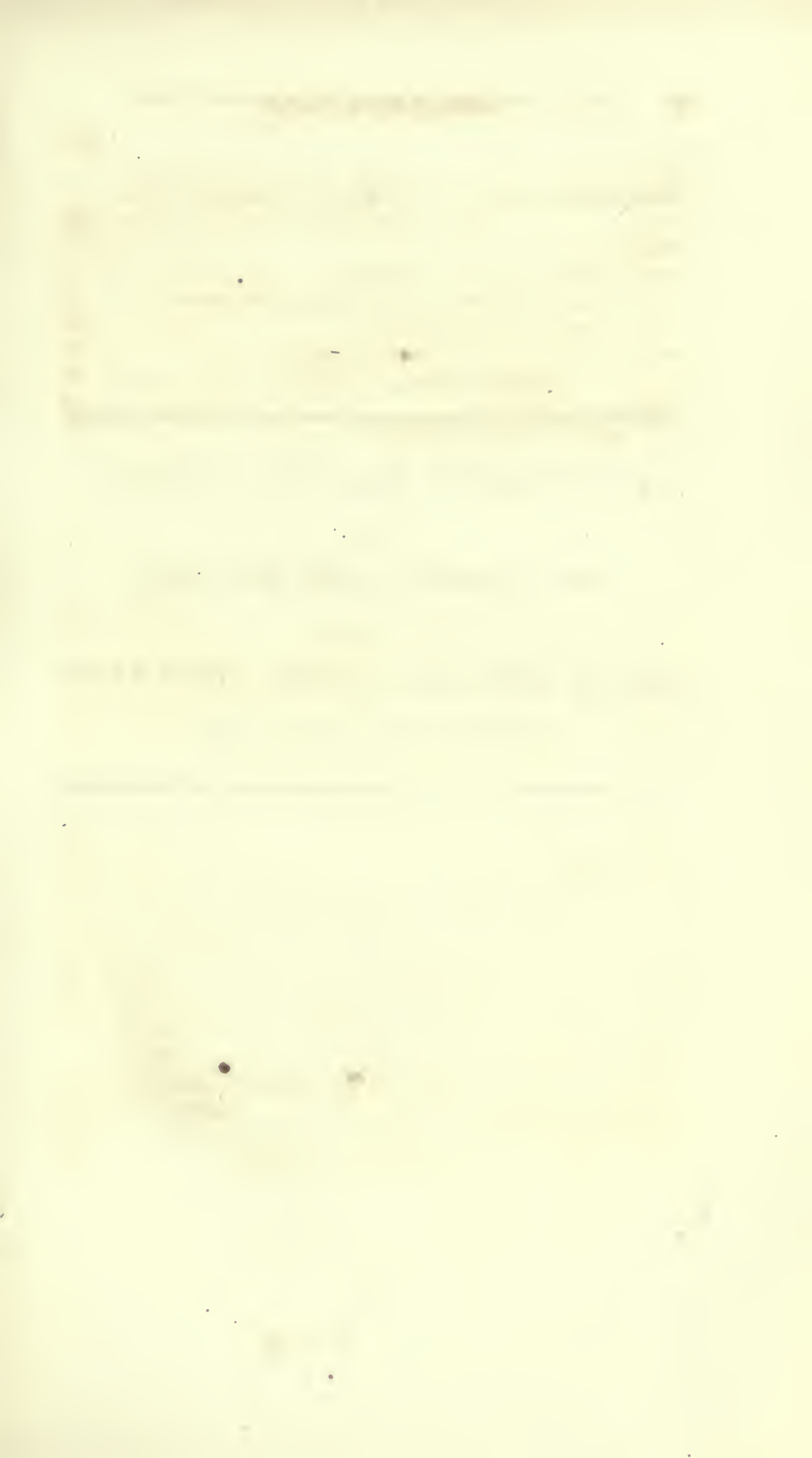
V.

<i>Vacancy</i> in Committee	20
<i>Vacant Offices</i>	68
<i>Vote</i> in ayes and noes	26
“ of Speaker	28
“ when interest	27, 28
“ on amendment from Senate	49
“ may be excused	16, 28, 35

Rule.

W.

<i>Ways and Means</i> , privilege of its Chairman as to amendments at third reading	51
<i>Weeks of Session</i>	62, 74
<i>Withdraw</i> , Member named for disorder must	7
" mover of question may, before amendment or decision	31
" motion to, suspends question	35
<i>Writing</i> , exceptionable words to be taken down in	60
" motion to be reduced to	29
<i>Words spoken</i> , objected to	6
" enacting or resolving, stricken out	37





VARIOUS ACTS AND RESOLUTIONS,
WITH
Extracts from others, or references to them,
CONTAINING
STANDING ORDERS OF THE HOUSE,
OR RELATING TO ITS BUSINESS.

THE
HISTORY OF THE
CITY OF
NEW-YORK
FROM THE
FIRST SETTLEMENT
TO THE PRESENT
TIME
BY
JACOB LEVINSKY
OF THE
CITY OF NEW-YORK
PUBLISHED BY
J. LEVINSKY
AT THE
PRINTING OFFICE OF
J. LEVINSKY
NO. 10 NASSAU ST. N.Y.



VARIOUS ACTS AND RESOLUTIONS, &c.

CHARTERS.

JOINT RESOLUTION—1836. p. 147.

No. 1.

Resolved, That the Legislature will not in future grant any new Charter or Act of Incorporation, or any extension of a Charter in an Act of Incorporation previously granted, unless the applicant or applicants for the same, shall have first given three months public notice, in one or more of the newspapers of this State, in such Districts or Parishes where newspapers are published; and where no newspapers are published, at one or more public places, of his or their intention to make such application, and shall submit, with the same, such satisfactory evidence that such notice had been given.

Notice before application for charter.

Suspended for Session of 1837.—1837, p. 53.

RESOLUTIONS ON CONSTITUTIONAL QUESTIONS.

JOINT RESOLUTION—1827. p. 44.

No. 2.

The Joint Committee to whom was referred the Resolutions of the Senate and House of Representatives, directing an inquiry into the proper order of business to be pursued at the present session of the Legislature, having taken the subject committed to them into consideration, beg leave respectfully to Report:

Second session of the same Legislature a continuance of the first.

That finding no prohibition in the Constitution, to the continuance of the business of one session in the succeeding one—and that the Legislature of this State, which convened in November, 1803, under a joint resolution of the joint Houses, prior to the 4th Monday in that year, took up the unfinished business of the preceding session, and continued the same to completion, although the same did not take effect till after the 4th Monday. Your Committee have agreed to recommend the adoption of the following Resolution:

That the present meeting of the Legislature, under the joint resolution of both branches thereof, on the — day of December, 1826, is a continuance of the session which commenced on the 4th Monday of November, in that year, and that all business before the Legislature then, is *now* regularly before them, in the order in which they stood at the time of the adjournment, and may be acted on.

No. 3.

JOINT RESOLUTION—1827. p. 58.

The Joint Committee to whom was referred the Resolutions directing an inquiry and report on the proper order of business to be pursued at the present session of the Legislature, have had the same under consideration, and beg leave to report:

That they do not find any thing in the Constitution which prohibits the continuance of the business of one session, into the succeeding one of the same Legislature.

The caption of all acts, soon after the adoption of the present Constitution, recognizes the second session of the same Legislature as a continuance of the first. This is in conformity with what is said to be Parliamentary usage in Great Britain. An adjournment is there regarded a continuance, and not a dissolution of the body. It is not thought that the Constitution, in making it the duty of the Legislature to meet on the 4th Monday of November in each year, intended to limit their legislative capacity, so far as to make the second session a discontinuance of the first. Such has not been the construction by previous legislation. In 1803, the Legislature adjourned over to an earlier day than the fourth Monday in November, and regarded the Acts of that session, as one entire session, although it ended after the 4th Monday. That all the business of second session of each Legislature, is not acted on as unfinished business, and taken up in *statu quo*, as a matter of usage or expediency, and not of constitutional necessity.

Second session of the same Legislature a continuance of the first.

Business unfinished at an extra session, may be continued after the fourth Monday of Nov'r.

If the meeting on the 4th Monday in November is regarded as a discontinuance of all the previous acts and doings of the previous session of the same Legislature, we would be at a loss to reconcile the practice of electing our officers for two years. With such a construction, we can see no good reason to distinguish between the recognition at the second session, of the election of President and other officers, and the recognition of other acts and proceedings which are progressive and unfinished. The Committee therefore recommend the adoption of the following Resolution :

That the present meeting of the Legislature, under the joint resolution of both branches thereof, passed on the 20th day of December, 1826, is a continuance of the session which commenced on the 4th Monday in November last, and that all business before the Legislature then, is now regularly before them, in the order in which it stood at the time of adjournment, and may be acted on.

RESOLUTION OF SENATE—1828. p. 26.

No. 4.

IN THE SENATE, DECEMBER 15, 1828.

The Committee of the Judiciary, to whom was referred the resolution of the Senate, to inquire and report to the Senate, whether, in their opinion, the office of Reading Clerk in the Senate, is such an office as was contemplated by the 12th section of the 1st article of the Constitution of the State, which section requires that the officers of each House of the Legislative Assembly shall be elected by ballot, have had the same under consideration, and respectfully report :

Reading Clerk an
officer to be elected
by ballot.

That your Committee have given their attention to the words and spirit of the section in question, and find it difficult to resolve the doubt which has been entertained in the resolution committed to them. It does appear that the Constitution intended such officers as were necessary to the correct organization of a deliberative Assembly. Such, undoubtedly, is the Presiding Officer and the Recording Clerk. But the long continued practice of the Senate, to elect its Door Keeper and Messenger by ballot, and the Senate having, by their vote, determined the Reading Clerk a necessary officer, and appropriated a salary for his services, incline to the opinion that he is an officer within the meaning of the Constitution. They therefore recommend that the Reading Clerk, hereafter appointed, be elected by ballot.

Resolved, That the Senate do agree to the report.

No. 5.

RESOLUTION OF SENATE—1828. p. 27.

IN THE SENATE, DECEMBER 8, 1828.

Office of Elector of
President and Vice
President does not
vacate seat.

The Committee on Privileges and Elections, who were instructed to inquire whether the high office of Elector of President and Vice President is such an office as vacates the seat of a Member of the Senate, if he be elected to, and exercises the duties thereof. Report:

That they have taken the subject into consideration, and have come to the conclusion to recommend the adoption of the following Resolution:

Resolved, That the office of Elector of President and Vice President of the United States, is not such an office as vacates the seat of a Member of the Senate.

Resolved, That the Senate do concur.

No. 6.

RESOLUTION OF THE SENATE—1827. p. 68.

IN THE SENATE, DECEMBER 12, 1827.

Two thirds necessary
on 2d reading
of Bill to alter
Constitution.

Resolved, That a Bill to alter the Constitution, on the second reading, not having a majority of two-thirds of the whole Senate, is lost, and ought not to be sent to the House of Representatives.

About the same time, on a Bill to alter the Constitution in relation to the tenure of office by a Judge, a contrary decision was made by the House of Representatives, but not reduced to a formal resolution, which has been preserved.

In 1831, the House of Representatives, on a Bill to divide Pendleton into two Election Districts, decided that a less number than two-thirds of the whole representation agreeing to the Bill, at its second reading, could not send it to the Senate; but remarks were made concerning the difference in phraseology, which exists between the article of the original Constitution, concerning Amendments, and the section of the Amendments of 1808, concerning any alteration to be proposed of them.

A diversity of practice exists between the two Houses, as to the question whether a Member can, after having been sworn, resign his seat; but although repeated decisions have been made in the Senate, that a Member can resign, and in the House, that he cannot, no record of any of those decisions is accessible.

See No. 8.

ELECTIONS.

AN ACT TO REGULATE THE PLACE OR PLACES FOR HOLDING GENERAL ELEC-
TIONS FOR MEMBERS OF THE LEGISLATURE, IN THE ELECTION DISTRICTS
IN THIS STATE, AND FOR REPEALING ALL ACTS RELATIVE THERETO—
1809. p. 60. No. 7.

Be it enacted, &c., That from and immediately after the passing of this Act, the place or places of holding the General Elections in each Election District, for a Member or Members to serve in either branch of the Legislature, shall be fixed by a joint resolution of the Senate and House of Representatives; any law, usage, or custom, to the contrary hereof, in any wise notwithstanding.

Places of election fixed by joint resolution.

ACT—1818. p. 40.

That in case of the death, removal from the District, or refusal to serve, of any Manager or Managers of Election to be made by the people, it shall be the duty of the Delegation in both branches of the Legislature, or a majority of them, to appoint fit and proper persons to fill up such vacancy; which appointment, under the hands of the said Delegation, as aforesaid, shall be a sufficient authority to hold such election: *Provided, nevertheless*, that nothing herein contained shall exempt any Manager from such fine as is now imposed by law, for not serving as Manager.

Delegation to fill vacancy in Managers.

See an Act to ascertain the manner and form of electing Members to represent the inhabitants of this Province in the Commons House of Assembly, and to appoint who shall be deemed and adjudged capable of choosing, or being chosen, Members of the said House. P. L. p. 113. 3 Statutes at Large, p. 135.

An Act to amend the Acts regulating elections of Members of the Legislature, and others, and for other purposes therein mentioned. 1831. Ch. 16: p. 37.

By the Constitution of 1778, clause 13, it is provided, that “where there are no Churches or Church Wardens in a District or Parish, the House of Representatives, at some convenient time before their expiration, shall appoint places of Election, and persons to receive votes, and make returns.” 1 Stat. at Large, p. 140.

No. 8.

JOINT RESOLUTION—1831. p. 55.

Residence of Voter.

Resolved, That the two years residence required by the Constitution, in a Voter, are the two years immediately previous to the Election; and the six months residence in the Election District, are the six months immediately previous to the Election; but if any person has his home in the State, he does not lose the right of residence by temporary absence, with the intention of returning; and if he has his home in the Election District, his right to vote is not impaired by a temporary absence, with the intention of returning. But if one has his home and family in another State, the presence of such a person, although continued for two years in the State, gives no right to vote.

JOINT RESOLUTION—1833. p. 53.

Oath of Managers.

Resolved, That the Managers of Election, prior to their proceeding to the Elections, do take the following oath or affirmation, before some Magistrate, or one of the Managers of Election, to wit: "That they will faithfully and impartially carry into execution, the foregoing Elections, agreeably to the Constitution of the State of South Carolina."

Vote in only one District.

Oath of Voter.

Resolved, That in future, no person qualified to vote for Members of each Branch of the Legislature, shall be permitted to vote in more than one Election District or Parish; and the Managers of Elections throughout this State, are hereby required and directed, if they think proper, or on the application of any Elector present, to administer to any person or persons offering to vote, the following oath: "I, A. B., do solemnly swear or affirm, [as the case may be,] that I have not, at this General Election for Members of the Legislature, voted in this or any other District or Parish, and that I am Constitutionally qualified to vote: So help me God." And if any person or persons required, as aforesaid, to take said oath or affirmation, shall refuse to do so, then the Managers respectively, in their respective Election Districts and Parishes, shall be, and they are hereby required and enjoined, to refuse such vote or votes; and in case the Managers shall refuse to require the oath as aforesaid, when demanded, they shall be liable to all the pains and penalties, they would be liable and subject to, for neglecting any other duties required of them, as Managers of Elections for either Branch of the Legislature.

Resolved, That the two years residence required by the Constitution in a Residence of Voter. Voter, are the two years immediately previous to the Election; and the six months residence in the Election District, are the six months immediately previous to the Election; but if any person has his home in the State, he does not lose the right of residence by temporary absence, with the intention of returning; and if he has his home in the Election District, his right to vote is not impaired by a temporary absence, with the intention of returning; but if one has his home and his family in another State, the presence of such person although continued for two years in the State, gives no right to vote.

AN ACT FOR PROCURING THE MORE PUNCTUAL AND REGULAR ATTENDANCE
OF PERSONS ELECTED MEMBERS OF THE SENATE AND HOUSE OF REPRESENTATIVES. *Passed 1787. Grimke's Pub. Laws, p. 415.*

No. 9.

WHEREAS, the business and sitting of the Legislature, is very much retarded and prolonged by the dilatory and irregular attendance of persons elected and returned Members of the Senate and House of Representatives, to the great expense and other detriment of the public, to remedy and prevent which, as much as possible,

1. *Be it therefore enacted*, That if the Church Wardens, or other Managers and Conductors of the Election of any District or Parish, shall neglect to make a return at the time and place the Legislature is to meet, according to the exigence of the Writ to them directed, then, and in such case, the Church Wardens or Managers, so neglecting, shall pay the sum of £20, to be sued for and recovered by the Attorney General, and be paid into the Treasury for the use of the State.

Managers neglecting return, subject to £20.

2. Every person who shall or may be elected and returned, and doth qualify to serve in the Senate or House of Representatives, shall and must, and is hereby ordered and directed, personally to be and appear at the time and place duly prescribed and appointed, for the meeting of the Legislature, on pain of incurring the penalty of 20s. for every day he shall make default; and on his appearance, the Cashier of the House to which he belongs, shall, and is hereby ordered, on pain of being proceeded against, as for a contempt of the House and breach of Privilege, to report to the President of the Senate, or Speaker of the House of Representatives, as the case may be, the number of days such

Persons elected, to appear, under pain of 20s. a day.

Absence to be reported by Cashier, and proceedings thereon.

person shall have made default; and the President or Speaker shall, thereupon require him to show cause or excuse, why he should not pay such penalty, and shall leave to the judgment and determination of the House to which he shall belong, whether such penalty shall be exacted; and in case it be the judgment and determination of the House, that the same shall be exacted, then the Cashier shall demand the payment thereof; and in case of refusal or non-compliance, within seven days, the said person shall be taken into custody, and proceeded against, by order of the House to which he shall belong, as for a contempt and breach of privilege. *Provided*, That any person who shall be duly elected and returned a Member of either House of the Legislature, and who shall determine to decline to serve and qualify, in case it may not be convenient for him to attend for the purpose, it shall and may be lawful for him to signify and express his determination, by a letter signed by himself, in the presence of a Member of the same District or Parish, and which said Member, shall deliver the letter, addressed to the President of the Senate, or Speaker of the House of Representatives.

Persons declining to qualify may signify the same by letter.

Person elected may be sent for at his expense.

3. If any person, duly elected and returned as a Member of either House of the Legislature, shall neglect and fail personally to appear and qualify, or decline to serve, or signify and express his determination to decline, or not qualify, by letter as aforesaid, at the meeting, as aforesaid, of the House for which he is returned to serve, then, in such case, the Cashier of the House for which he shall be elected and returned a Member, shall report such default to the President or Speaker, and the person so making it, shall be liable to be sent for at his own expense, and taken into custody, and to answer and show cause and excuse why he should not be liable to the penalties, and to be proceeded against as is above mentioned, in the second clause of this Act.

Member absent dealt with in like manner.

4. If any Member of either House, who hath qualified and taken his seat, shall neglect to appear at the time and place to which the House may be duly adjourned to meet, or convened by a requisition of the Governor for the time being, he shall be liable to the same penalties, and shall be proceeded against as is prescribed and directed in the said second clause of this Act.

Cashier neglecting.

5. If the Cashier of either House, shall fail in his duty as above prescribed, he shall be liable to be called on by the President or Speaker, to receive such censure and reprimand as the case may require, and the House to which he belongs, may resolve and direct.

ACT 9TH OCTOBER, 1778. P. L. 298.

No. 10.

Each Member of the different Branches of the Legislature shall in future be furnished with one copy of every such Act and Ordinance, [Acts of the Legislature,] for his own use, and no more.

Each member a copy of the Acts.

[Grimke's Public Laws, p. 298.]

ACTS OF 1834, CH. 28. PAMPH. p. 61.

No. 11.

AN ACT TO REGULATE THE PRINTING AND DISTRIBUTION OF THE ACTS AND RESOLUTIONS OF THE GENERAL ASSEMBLY OF THIS STATE AND FOR OTHER PURPOSES.

SEC. 1. *Be it enacted by the Hon. the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same,*

That it shall hereafter be the duty of the printer, employed for the purpose, by the Legislature, after the adjournment of each Session, to print two thousand copies of the Acts and Resolutions of the General Assembly of this State, passed at such Session, and to deposit them, on or before the twentieth day of February, next succeeding thereafter, in the office of the Treasurer of the Upper Division; of which, the said Treasurer shall keep an hundred copies, subject to the order of the Governor, for the purpose of interchanging with other States; and the said Treasurer shall deposit an hundred and fifty copies in the Legislative Library, and shall transmit, at the earliest period, to the Clerks of the Courts for the several Districts and Parishes of this State, the copies then remaining in his hands: Abbeville District, 92; Anderson do. 56; Barnwell do. 50; Chester do. 77; Chesterfield do. 36; Darlington do. 50; Edgefield do. 80; Fairfield do. 77; Greenville do. 56; Kershaw do. 66; Laurens do. 53; Lexington do. 48; Lancaster do. 50; Marlborough do. 38; Newberry do. 50; Orangeburgh do. 40; Pickens do. 56; Richland do. 100; Union do. 56; Sumter do. 65; Spartanburgh do. 60; York do, 65; Beaufort do. 60; Charleston do. 150; Colleton do. 55; Georgetown do. 50; Horry do. 45; Marion do, 44; Williamsburg do. 25; and that the persons employed in transmitting said Act, shall receive, as a compensation for their services, three dollars per day, for every forty miles they may travel, in going to and returning from the town of Columbia.

Printer to deposit 2000 copies of the Acts and Resolutions in office of the Treasurer, who shall dispose of them and distribute them as directed.

Clerk to sell remaining copies.

SEC. 2. *Be it further enacted*, That the Clerks of the Courts, after supplying all such persons as by law are entitled to receive copies of the Acts and Resolutions aforesaid, shall sell the copies remaining in their hands, at fifty cents per copy, and pay into the Treasury such amounts as they may severally receive by such sales.

DISTRIBUTION OF ACTS, &c.

No. 12.

EXTRACT FROM A REPORT ADOPTED 1836. p. 118.

See No. 121.

The Committee on the Judiciary, to which was referred the Resolution to provide for the transmission of the Acts of the Legislature, and the Statutes at large, beg leave to Report :

Distribution of the Statutes at Large, and Acts of the Legislature.

That it is thought necessary hereafter, to make it the duty of the Librarian of the Legislature, to distribute the Statutes at Large, and the Acts of the Legislature, each year, in the following manner: To the Secretary of State, for distribution by him in the manner he has heretofore distributed the Acts of the Legislature, viz: For the Clerk of each Court of Law in the State, one copy of the Statutes and one of the Acts; for each Commissioner and Master in Chancery, one copy of each work; for each Ordinary, one copy of each; for the Court of Appeals, at Columbia, one copy of each; for the Court of Appeals, at Charleston, one copy of each; for each Magistrate in the State, and for every Member of the Legislature, one copy each, of the Acts of the Assembly. And the Librarian himself, every year, shall distribute the Acts and Statutes at Large, as follows: To the Library of the Legislature, ten copies of each; to the South Carolina College, two copies of each; to the Charleston Library, two copies of each; to the Governor of each State of the Union, for the use of the State, one copy of each; to the Legislature of each State, one copy of each; to the Library of Congress, two copies of each; to the Heads of Department, at Washington, for the use of their Departments, one copy of each; to the Historical Society of New York, one copy of each; to the Athenæum, Philadelphia, one copy of each; to the Library of Harvard University, Cambridge, one copy of each; to the Yale College Library, one copy of each; to the Libraries of the Universities of Virginia and Alabama, one copy of each; to the College, at Athens, Georgia;

Princeton, and Chapel Hill, North Carolina, one copy of each; to the Athenæum, Boston, one copy of each; to the Committee of Public Records, London, care of C. P. Cooper, Esq., one copy of the Statutes at Large; to the London Museum, one copy of the Statutes at Large; to the King's Library, in Paris, one copy do; to the University Library, at Heidelberg, one copy do; to the Royal Library, at Berlin, one copy do; to the University Library, at Gottengen, one copy do.

The Committee recommend that the Librarian, for this considerable addition to his labors, be paid the sum of \$200.

Increase of Librarian's Salary.
See No. 19.

JOINT RESOLUTION—1837. p. 58.

No. 13.

Resolved, That three copies of the Statutes at Large, of this State, commencing with the second volume, be presented as follows: One copy to the Royal Library in Berlin, (it being the Library of the University in that city); one copy to the University Library at Gottengen, and the other copy to the University Library at Heidelberg. And that the second volume, now published, and the volumes hereafter to be published, be delivered to Dr. Francis Leiber, of the South Carolina College, to be by him forwarded to the above mentioned Institutions.

Three copies of Statutes at Large to Libraries.

OFFICERS OF HOUSE.

EXTRACT ACT—27TH MARCH, 1787. P. L. p. 427.

No. 14.

No Officer of the Senate and House of Representatives, shall hereafter take, or receive, directly or indirectly, any fee or perquisite whatsoever, except by order of the House to which he respectively belongs, any usage or custom to the contrary notwithstanding.

Officers of House to have no perquisites.

EXTRACT FROM ACT OF 1791, CONCERNING FEES AND SALARIES.

1 *Faust*, p. 117.

CLERKS OF THE SENATE AND HOUSE OF REPRESENTATIVES.

Fees of Clerk. For any copy or extract from the Journal of either House, to any person requiring the same, except a Member of either Branch of the Legislature, or the Executive:

Each copy-sheet	-	-	-	-	-	-	-	5 pence.
For every search	-	-	-	-	-	-	-	8 pence.

ACT DISTINGUISHED FROM RESOLUTION.

ACT 1807.—p. 56.

No. 15.

AN ACT TO INCREASE THE COMPENSATION OF THE MEMBERS OF THE LEGISLATURE, BY ACT.

Validity of resolution doubted.

WHEREAS, doubts having arisen, whether the Resolution of the Legislature, passed in the year eighteen hundred and five, increasing the pay of the Members of the Legislature to three dollars per diem, be consistent with the Constitution, in that case made and provided:

Member to receive \$3 per diem.

Be it therefore enacted, &c. That the Members of the Legislature, shall be entitled to receive, out of the public Treasury, as a compensation for their expenses, a sum not exceeding three dollars a day, during their attendance on, going to, and returning from the Legislature, at the rate of thirty miles per day.

No. 16.

AN ACT TO PREVENT APPROPRIATIONS OF MONEY OTHERWISE THAN BY AN ACT OF THE LEGISLATURE. *Passed 1796. 2. Faust. 84.*

Whereas, daily experience evinces the impropriety of the Legislature's granting money for any purpose, in any other mode than by virtue of an Act of the Legislature:

Be it therefore enacted, &c. That after the passing of this Act, no sum of money shall be directed to be paid away out of the treasury of this State, unless the same be done by an Act to be passed for that purpose; and that no person who now is, or hereafter may be indebted to the State, in any manner whatever, shall be exempted or relieved, in part or in the whole, from the payment thereof; nor shall the State be divested of any right or interest whatever, for the purpose of vesting the same in any individual, by any other means than under and by virtue of an Act to be passed for that purpose.

No appropriation made, debt discharged, or right conveyed from State, but by Act.

See Law, in Indexes to Constitutions of South-Carolina and U. States.

LEGISLATIVE LIBRARY AND RECORDS.

ACT—1814. p. 55.

No. 17.

That the sum of five hundred dollars be annually appropriated for the purchase of a Library for the use of the Members of the Senate and House of Representatives of this State.

Annual appropriation for Library.

JOINT RESOLUTION—1814. pp. 93, 100.

A Joint Committee appointed to purchase suitable Books, and make proper arrangements for the establishment of the Library.

JOINT RESOLUTION—1816. p. 102.

No. 18.

Authorizing the President of the Senate and Speaker of the House "to appoint a Librarian, who shall give constant attendance at the Library Room, during the session of the Legislature, to furnish Books to the Members, and to

Duty of Librarian.

observe such rules as shall, from time to time, be prescribed by the Book Committee: *and that the Librarian receive, as a compensation for his services, the sum of one hundred dollars.*"

No. 19.

REPORT ADOPTED—1833. p. 12.

The Joint Committee of the Senate and House of Representatives, to whom was referred the Resolution concerning the keeping of the State House, and Records of the Legislature, beg leave to report :

State of Legislative
Records.

That they have examined the state of the Records of the Legislature, and find them in the most deplorable condition. They have been thrown into closets, as though they were mere rubbish. In many instances, they are irretrievably destroyed, and nearly all of them more or less injured. The floor, shelves and chairs are covered with them, in utter confusion and disorder. Scarcely a roll of the House has been preserved; those that exist, are so defiled as to defy the touch of the hand. In short, it is difficult to describe the disgraceful condition which the Records of the Legislature now present, and nothing but prompt attention to them can save them from utter ruin. The Committee have been informed that many of the Legislative and Executive Records of the country are now remaining in the various offices of Charleston, and should be removed to Columbia, and placed in their proper apartments. Some of the Legislative Journals, your Committee understand, remain yet unbound, in copy books. They therefore recommend that the Governor be requested to have the offices of Charleston examined, the Records put in as good condition as they will admit, and removed to Columbia; and that the Clerk of the Senate, and the Clerk of the House, be required to put the papers of their respective Houses in order, and in suitable cases to be prepared for the purpose; and that they be paid a suitable compensation for their services. The Committee think it very desirable that access to the records of the Legislature should at all times be practicable to the members of the Legislature and the officers of the State, subject to the care and confidence of a suitable officer. It would afford great facilities to the business of the Legislature and to the officers of the State Government, besides affording great conveniences to the public. The Library, also, should at all times be subject to the same access.

Records to be re-
moved from
Charleston to Co-
lumbia.

Clerks to put pa-
pers in order.

Offices of State
House Keeper and
Librarian united.

Duty of officer.

The Committee therefore recommend that the office of Keeper of the State House should be joined to that of Librarian; and in addition to the duties heretofore required of those officers, it should be required of the person appointed

to perform these joint duties, to preserve and keep in safe custody and good condition, the records of the Legislature, and at all times to afford to the members of the Legislature and the officers of the State, access to the records of the same; taking care, at all times, that they receive no injury, and that they are not misplaced, or removed from their proper places of deposite; and that for such services, that he be permitted to reside in the house on the State House Square, now occupied by the Keeper of the State House, and have the control and management of the State House Square and Buildings, and see that they receive no injury, and for such services be paid the sum of five hundred dollars. *Salary.*

See Resolution—1836. p. 118, above, No. 12.

See No. 12.

RESOLUTION—1826. p. 59.

No. 20.

Resolved, That the Committee on the Legislative Library do hereafter account with the Comptroller, at and before every session of the Legislature, for whatever monies may have been drawn by them and appropriated to the use of the Library.

Library Committee
to account with
Comptroller,

RESOLUTIONS GIVING THE USE OF THE LIBRARY.

- 1821. p. 77. To the President and Faculty of the College.
- 1825. p. 104. To the Judges of the Court of Appeals.
- 1826. p. 58. To the State Reporter.
- 1837. p. 57. To the Trustees of the South-Carolina College.

ROADS.

No. 21.

Section 5, of an Act passed 1825, entitled

"AN ACT TO REDUCE ALL THE ACTS AND CLAUSES OF ACTS OF THE GENERAL ASSEMBLY OF THIS STATE, RELATING TO THE POWERS AND DUTIES OF THE COMMISSIONERS OF THE ROADS, INTO ONE ACT."—1825. p. 30.

SEC. 5. *And be it further enacted by the authority aforesaid,* That the Commissioners of Roads are hereby authorized and required to lay out, make and keep in repair, all such Roads, Bridges, Causeways and Water Courses, as have been, or shall hereafter be established by law, or as they shall judge necessary, in their several Parishes and Districts: Provided, however, that no Board of Commissioners of Roads shall hereafter have power to open any new road, until they shall have given three months previous notice, by advertisements, in the settlement through which the intended road is to be opened. Nor shall any new road be opened over the lands of any person who shall signify to the said Board of Commissioners, any opposition, unless by permission of the Legislature. Nor shall the Legislature hereafter grant any new road, unless upon a representation of the Board of Commissioners of the District, Parish, or Division, where the said road is to be laid out, certifying the propriety and utility thereof; and, also, that three months previous notice had been given to the persons opposed thereto, to enable them to make counter representations to the same, if they see fit so to do.

3 months notice for
new Road.

Permission of Le-
gislation if owner of
land be opposed.

Legislature will not
act without a repre-
sentation of Com-
missioners and 3
months notice.

COMPANIES INCORPORATED AND CHARTERS GRANTED FOR ROADS BRIDGES AND FERRIES.

Extracts from an Act passed 1827, (Pamph. p. 14) entitled

No. 22.

"AN ACT ESTABLISHING PRINCIPLES ON WHICH COMPANIES SHALL BE INCORPORATED, AND THE CHARTERS OF FERRIES, BRIDGES AND TURNPIKE ROADS SHALL BE HEREAFTER GRANTED, AND FOR OTHER PURPOSES THEREIN EXPRESSED."

CLAUSE 1. *Be it enacted, &c.* That whenever, hereafter, the Legislature shall authorise the formation of a Company, for the construction of a Turnpike Road, Bridge, Causeway, or the keeping of any Ferry, the Company, in its formation, organization, and subsequent proceedings, shall be subject to all the provisions of this Act; except such as the Act of authorization shall expressly, or by necessary implication, exclude.

Every Company subject to the provisions of this Act, except such as are excluded by its charter.

SECTION 1-25—*Contains various provisions concerning the form, rights and liabilities of such Company. Vide.*

CLAUSE 2. (p. 20.) That every charter for a Ferry, Bridge, or Turnpike Road, to any individual or individuals, or to any Incorporated Company, by the Legislature of the State, or the authority thereof, hereafter to be granted, shall be subject to all the provisions of this Act, except such as the Act creating or authorizing such charter, shall expressly, or by necessary implication, exclude.

Every charter for Ferry, Bridges, &c. subject to provisions not excluded by Act of Incorporation.

SEC. 26. Every charter of a Bridge, Ferry, or Turnpike Road, shall be in fee simple, and shall be held by the grantee or grantees, his, her, or their heirs, or assigns, or successors, forever, as real estate, subject to be extinguished in manner herein before expressed.

Every charter in fee.

SEC. 27. No grant of a Bridge, Ferry, or Turnpike Road, shall prevent the Legislature from making further grants of Ferries, Bridges, and Turnpike Roads, within any distance of the same, whenever the convenience of the community may require such further grants. But every grant of a Ferry, Bridge, or Turnpike Road, shall exclude all other persons from erecting and keeping up

Not to exclude Legislature from chartering others, but excludes others from reducing profits.

any Bridge, Ferry, or Road, which may reduce the profits of such chartered Bridge, Ferry, or Turnpike Road, except for the individual use of the person erecting and keeping up such unchartered Bridge, Ferry, or Road, without the authority of the Legislature, expressed by Act.

SECTIONS 28-46—*As to the tolls, and powers of the Legislature over them.*
Vide.

Right of alteration reserved to Legislature.

SEC. 47. Nothing in this Act contained, shall be construed to deprive the Legislature of the right of passing, altering, or repealing any Act or Acts, altering the duration of office of any of the said Commissioners, or declaring any commission to cease, and ordering a new one to be appointed, or imposing penalties for not keeping the said works in repair, or for enforcing due attendance at the same.

Petition: What it shall contain.

SEC. 48. Every application to the Legislature to grant a charter for any Bridge, Ferry, or Turnpike Road, shall be by petition, in which shall be set forth particularly, the site on which it is to be constructed or kept, and shall be enumerated all the chartered Bridges, Ferries, and Turnpike Roads within ten miles of any part of the work so intended to be constructed or kept; and in it shall be stated the public convenience which requires the grant; and the said petition, together with a notice that it is intended to present it to the Legislature, shall be published in some gazette, printed at the Seat of Government, or in the Judicial District in which some part of the said work is intended to be constructed or kept, at least once in each month, for the term of three months, next preceding the month in which the Legislature to which the petition is intended to be presented, is to commence its session; and when any proprietor or proprietors of any chartered Bridge, Ferry, or Turnpike Road, his, her, or their agent, trustee, or attorney, may give notice in writing to the petitioner, or any one of the petitioners, two months before the meeting of the Legislature to which the petition is to be presented, that the grant will be opposed; and in the said notice shall state the grounds of such opposition; then, and in that case, all the evidence for and against such a grant, shall be taken on oath, and in writing, before the Commissioner of the Court of Equity, or Clerk of the Court of the District where is situated some part of the work so intended to be constructed or kept. But before any evidence shall be so taken, the party offering it shall give at least ten days notice to some one of the opposite party, of the time and place of taking such evidence; and whenever any such charter shall be granted without all the requisites of this clause being complied with,

Notice of it to be published.

If notice of opposition, testimony may be taken.

the said charter may be repealed by *scire facias*, at the suit of the proprietor or proprietors of any previously chartered Bridge, Ferry, or Turnpike Road, any part of which may be situated within ten miles of any part of the Bridge, Ferry, or Turnpike Road so illegally chartered. The provisions of this section shall not extend to any charter for a Bridge, Ferry, or Turnpike Road, which may be granted or authorized during the present session of the Legislature.

Neglect of provision subjects charter to be repealed by *scire facias*.

SEC. 49. Whenever, hereafter, any Ferry may be chartered, in pursuance of this Act, or any other principle, for a term of years, or in fee simple, and the public interest may require a Bridge to be erected thereat, and that the Ferry should be suppressed, the Legislature may erect the said Bridge, or grant, or authorize a charter for erecting the same, and suppress the said Ferry, after the expiration of one year from the date of the Act declaring the suppression, on condition that the whole capital expended in making the roads and landings to said Ferry, is paid to the proprietor or proprietors thereof, with 100 per cent. advance thereon.

Ferry may be suppressed for the establishment of a bridge or compensation.

SECTIONS 50-63.—*Vide pages 27-30 of pamphlet, 1827.*

See Act 1836, p. 70, declaring the provisions of this Act of 1827 inapplicable to the Sumter and Darlington Rail Road Company.

Act 1828, p. 91, inapplicable to South Carolina Canal and Rail Road Co.

TURNPIKES.

AN ACT TO DEFINE THE TERMS UPON WHICH THE STATE WILL AID IN THE CONSTRUCTION OF TURNPIKE ROADS. *Passed 1838. Pamph. p. 36.* No. 23.

SEC. 1. *Be it enacted, &c.* That whenever a Company of individuals shall associate themselves together, for constructing a Turnpike Road, and shall subscribe three-fifths of the estimated cost of the said road, the State of South-Carolina will subscribe and contribute the remaining two-fifths, and become a

State will subscribe two-fifths of stock when Company have subscribed three-fifths, provided terms be complied with.

stockholder in that proportion, in the said Company, when the following requisites shall have been complied with, that is to say:

1. The Company desiring the aid of the State, shall cause to be made, and furnished to the Legislature, proper plans and estimates of the cost and advantages of the road they propose to make; and shall satisfy the Legislature of the expediency of constructing the same, and that it can be constructed at the amount of the estimate.

2. The said Company shall also shew, to the satisfaction of the Legislature, that three-fifths of the estimated cost of the road have been subscribed by responsible individuals, and that it is their intention to proceed, as soon as possible, to the execution of the contemplated work.

Faith of State
pledged.

SEC. 2. Whenever the said preliminaries shall have been complied with, the faith of the State is hereby pledged to grant unto any such Company a charter of incorporation, and to subscribe to the Stock thereof two-fifths of its capital, reserving to the State corresponding shares of the profits, and a corresponding power in the management and direction of the Company.

State to pay only
as other stock-
holders.

Comptroller to
ascertain.

SEC. 3. No instalment shall be paid by the State, upon the stock of any such Company, until a corresponding call shall be made upon the private stockholders, in common with the State; and the Comptroller General shall, upon every call for instalments, after the first, ascertain that the preceding instalments have been paid in by the private stockholders, before such subsequent instalment shall be paid by the State.

Report to Com-
ptroller, if not, he to
report to Legisla-
ture.

SEC. 4. The President and Directors of every Company in which the State shall become a stockholder, shall, on the first day of October, in every year, make a special report of its condition and finances, to the Comptroller General, and if any such Company shall neglect to make a return as aforesaid, the Comptroller General shall, if possible, procure information of its condition, and report the same, or the fact of not being able to get information, to the Legislature.

Stock of State not
to be forfeited.

SEC. 5. The stock which the State may hold in any such Company, shall never become forfeited, without the consent of the Legislature.

SOUTH-CAROLINA CANAL AND RAIL ROAD COMPANY.

AN ACT TO AUTHORIZE THE FORMATION OF A COMPANY FOR CONSTRUCTING
RAIL ROADS OR CANALS FROM THE CITY OF CHARLESTON TO THE TOWNS OF
COLUMBIA, CAMDEN AND HAMBURG. 1827. *Ch. 27, p. 73.* No. 24.

Amended by Act, January, 1828, ch. 6, p. 87—which contains the charter,
giving exclusive privileges for 36 years.

JOINT RESOLUTION—1827. p. 52.

Recommending an appropriation of \$4,000, to enable the Superintendent of
Public Works to cause the country between Charleston and Hamburg to be
surveyed, so as to ascertain the proper course, and the practicability of con-
structing a Canal and Rail Road between those places.

EXTRACT FROM APPROPRIATION ACT—1829. p. 13.

No. 25.

SEC. 15. That the Comptroller General of this State be, and he is hereby
authorized and directed, whenever an application in writing shall be made to him,
for that purpose, by the President and Directors of the South-Carolina Canal
and Rail Road Company, to advance, by way of loan to the said Company, the
sum of one hundred thousand dollars, to be paid out of any monies in the trea- Loan of \$100,000.
sury, not otherwise appropriated: *Provided*, The said Company, or the President
and Directors thereof, before the said sum is advanced and paid over to them,
shall secure the re-payment thereof, by bond and a mortgage, or assignment to Bond and Mortgage.

the State of their whole assignable interest, property and estate in the Rail Road and Canals by them to be constructed, in pursuance of their charter, and the materials collected, or to be collected therefor. *Provided, also,* That the same shall be paid in such a proportion, that when the stockholders have paid thirty thousand dollars, the Comptroller General shall lend them, on the above security, ten thousand dollars, and so on, until the hundred thousand dollars has been advanced.

SEC. 16. That the said Company shall be required to pay interest on the said loan, at the rate of five per cent. per annum, and that the whole sum shall be re-paid to the State in seven years.

No. 26.

REPORT AND RESOLUTION—ADOPTED 1836. p. 109.

The Committee of Finance, to which was referred the Petition of the South-Carolina Canal and Rail Road Company, praying to “be released from their obligation to the State, for the sum of one hundred thousand dollars, with the amount of interest which has accrued thereon,” have had the same under consideration, and beg leave to report :

That it is inexpedient, in their opinion, to release the Company from their obligation; but the Committee would respectfully recommend that a liberal indulgence ought to be extended towards the said Company, which risked so much in a problematical project, that has already bestowed incalculable benefits upon the people of this State. The Committee therefore recommend the adoption of the following resolution :

Indulgence until
Dec. 1846, at same
rate of interest.

Resolved, That the South-Carolina Canal and Rail Road Company be, and they are hereby indulged, for ten years from 18th December, 1836, in the payment of their said obligation, at the same rate of interest as heretofore, on the said Company’s giving sufficient security for the ultimate payment of the said debt and interest, on the 18th December, 1846.

See Act lending the credit of the State to secure a loan to the Louisville, Cincinnati and Charleston Rail Road Company—1837, p. 35, whereby another mortgage is preferred to that of the State.

OTHER RAIL ROAD COMPANIES INCORPORATED.

No. 27.

Doekon and Whappahoola,	- - -	1833, p. 58.
Edgefield,	- - - 1834, p. 26.	1835, p. 46.
Barnwell,	- - - -	1835, p. 61.
Sumter and Darlington,	- -	1836, p. 66.
Metropolitan,	- - -	1838, p. 16.
Charleston, Georgetown and All Saints,		1838, p. 50.

LOUISVILLE, CINCINNATI AND CHARLESTON
RAIL ROAD.

JOINT RESOLUTION—1832. p. 27.

No. 28.

The Committee on Internal Improvements, on the part of the Senate, in conjunction with the same Committee from the House of Representatives, acting as a Joint Committee, to whom was referred the petition of the South-Carolina Western and Atlantic Rail Road Committee, praying for an appropriation to defray the expenses of a survey, report:

That they have had the same under consideration, and have concurred in recommending that the sum of one thousand dollars be appropriated by this State, if so much shall be necessary, subject to the order of the said Committee, to defray the expenses of a survey within the limits of this State, with a view to the location of a Rail Road for the connection of the Atlantic and Western waters, by a Company to be hereafter established and chartered by the Legislature: *Provided*, That before payment of the appropriation, satisfactory evidence shall be produced to the Comptroller General, that the Legislatures of North-Carolina and Tennessee have made appropriations, to defray the expense of similar surveys within their respective limits.

\$1000 be appropriated for surveys.

Proviso.

Agreed to. House concurred.

See Appropriation Act—1832. p. 15.

LOUISVILLE CINCINNATI AND CHARLESTON RAIL ROAD.

No. 29. AN ACT TO CAUSE SURVEYS FOR A RAIL ROAD BETWEEN CINCINNATI AND
 CHARLESTON. *Passed 1835. Ch. 5. Pamph. p. 16.*

Sec.

AN ACT TO INCORPORATE THE CINCINNATI AND CHARLESTON RAIL ROAD
 COMPANY. 1835. *Ch. 19. Pamph. p. 46.*

Exclusive right for
thirty-six years.

SEC. 18. Neither of the said States of South-Carolina, North-Carolina, Tennessee nor Kentucky, shall, within the period of thirty-six years from the first day of January, in the year of our Lord one thousand eight hundred and thirty-six, authorize the construction of any Rail Road within twenty miles of the Rail Road so to be constructed by the Cincinnati and Charleston Rail Road Company, which shall connect any points or places on their Rail Road, or which shall run in the general direction thereof, without the consent of the said Company.

* * * * *

Exempt from taxation.

SEC. 43. That the capital stock in the said Company, the dividends thereon, and all the property and estates, real and personal, belonging to the said Company, shall be forever free from taxation, in each and every of the said States of South-Carolina, North-Carolina, Tennessee and Kentucky; and it shall not be lawful for either of the said States, or any corporate, municipal, police, or other authority thereof, or of any town, city, county, or district thereof, to impose any tax on such stock or dividends, property or estates: *Provided*, that the said stock or dividends, when the said dividends shall exceed the legal interest of the State, may be subject to taxation by the State, in common with other money at interest, and interest thereon.

Except as money at interest.

Powers same in four States.

SEC. 46. And the said Company shall be entitled only to such powers and privileges as shall be granted to it by all the Legislatures incorporating it, and the powers necessary and proper to give them effect; and shall be subject to all the restrictions and disabilities which may be imposed on it by any of the Legislatures, by the Act of Incorporation; so that its powers, privileges and disabilities may be similar in all the States of Kentucky, Tennessee, North-Carolina and South-Carolina.

SEC. 47. This Act shall be inoperative and void, unless Acts for a similar purpose are enacted by the Legislatures of North-Carolina, Tennessee and Kentucky.

Void without the concurrence of other three States.

JOINT RESOLUTION—1835. p. 50.

No. 30.

Declaring that the Legislature of South-Carolina regards with the deepest interest and most patriotic solicitude, the efforts which are making by citizens of this and neighboring States, to open a communication, by means of a Rail Road, from Cincinnati to Charleston; pledging the zealous and cordial co-operation of the citizens of this State, and declaring that when, by surveys, the practicability of the work shall have been made evident, the Legislature will conceive it their bounden duty to aid the project by means of a public spirited and enlightened legislation; and transmitting the resolutions to the Executives of the States of Georgia, North-Carolina, Tennessee, Kentucky, and Ohio, to be laid before their respective Legislatures.

JOINT RESOLUTION—1835. p. 50.

Granting leave of absence to Mr. Solicitor Elmore to visit North-Carolina on the project.

LOUISVILLE, CINCINNATI AND CHARLESTON RAIL ROAD AND SOUTH-WESTERN RAIL ROAD BANK.

No. 31. AN ACT TO CONFER BANKING PRIVILEGES ON THE STOCKHOLDERS OF THE
LOUISVILLE, CINCINNATI AND CHARLESTON RAIL ROAD COMPANY, ON
CERTAIN TERMS AND CONDITIONS.—*Passed 1836. Chap. 2. Pamph. p. 7.*

SEC. 1. *Be it enacted, &c.* That the Rail Road Company, incorporated in the States of South Carolina, North Carolina, and Tennessee, by the name of "*The Cincinnati and Charleston Rail Road Company*," and in the State of Kentucky, by the name of the Louisville, Cincinnati and Charleston Rail Road Company, shall be called, and known as a body corporate, in all the States aforesaid, by the name of THE LOUISVILLE, CINCINNATI AND CHARLESTON RAIL ROAD COMPANY, and that the corporators in the said Rail Road Company, shall form a separate body corporate, in deed and in law, for banking purposes, in such of the States of South Carolina, North Carolina, Tennessee, and Kentucky, as shall assent hereto, and be called and known by the name of "THE SOUTH-WESTERN RAIL ROAD BANK:" *Provided*, That the assent of not less than three of the said States, shall be given hereto, before the said Bank shall have corporate existence.

Name of Road changed.

To have Banking privileges, provided three States concur herein.

* * * * *

SEC. 9. (*p. 10*) The President and Directors of the Bank, shall make up annually, a full statement of the affairs thereof, as they may stand on the first day of October, and also of the affairs of each of the Branches on that day, as rendered to them by the President and Directors of such Branch, and shall send one copy thereof, certified by the President and Cashier, to each of the Governors of the said States, to be laid before their respective Legislatures.

Report to Governors to be laid before Legislatures.

SEC. 10. The mother or principal Bank, shall be located at Charleston, and the said Bank may establish Branches, or have Agencies thereof, in any State, with the consent of the Legislature thereof. And it is hereby declared, that the said Bank shall not have corporate existence, unless two of the States of North Carolina, Tennessee, and Kentucky, shall consent to the establishment of Branches therein.

Mother Bank at Charleston.

Agencies with the consent of the Legislature. Two other States must consent to Branches therein.

* * * * *

SEC. 25. (*p.* 14.) The capital of the said Bank, and all the funds thereof, the shares of the Stockholders therein, and the dividends thereof, shall be free, and exempt from taxation of any kind, in each of the States granting the Charter, during the continuance thereof, except that its real estate, and its goods pledged for money lent, and its goods, the produce of its lands, may be taxed at the same rate as similar real estate and goods are taxed, in the State where the same may be situated.

Exempt from taxation, except property pledged and produce of lands.

SEC. 26. The notes of the said Bank shall be receivable at the Treasuries of the said several States, in which it is chartered, in payment of public dues, so long as the said Bank shall redeem its notes with specie.

Notes, redeemed in specie, receivable for public dues.

SEC. 28. In case the Rail Road Company shall finish the Road with a double track, from Charleston, or the Rail Road of the South Carolina Canal and Rail Road Company, to the Ohio river, or shall unite it, in the State of Kentucky, with some other Rail Road, which may connect it with the Ohio river, within ten years from the first day of January, 1837; or in case, within the same period, the Louisville, Cincinnati and Charleston Rail Road Company, shall finish the Road with a double track, from Charleston, or from the Rail Road of the South Carolina Canal and Rail Road Company, to the Southern boundary of Kentucky; or in case the said Louisville, Cincinnati and Charleston Rail Road Company, shall, within the same period, actually expend on the said Road, the sum of twelve millions of dollars, then the said Bank shall have corporate existence for twenty-one years, after the expiration of the said ten years; otherwise, it shall cease to have corporate existence after the expiration of the said ten years.

Conditions upon which existence shall endure beyond 10 years.

SEC. 29. If the Legislature of the State of Kentucky, shall not, within one year from the first day of March, 1837, discharge the Rail Road Company from the obligation to make branches to the main road in that State, and the Company shall, within ten years from the 1st day of January, 1837, construct a Rail Road, with a double track from Charleston, or from the Rail Road of the South Carolina Canal and Rail Road Company, to the Southern boundary of the State of Kentucky, or to the Cumberland river, then the said Rail Road Company shall continue to exist as a body corporate, in the States of South Carolina, North Carolina, and Tennessee, with all the rights and privileges appertaining to it in those States, discharged from all obligation to construct any Rail Road in the State of Kentucky, or to have any Directors residing in that State; and the Bank hereby chartered, shall have corporate existence in such of the States as shall assent hereto, with all the rights and privileges, and subject in all respects, to the provisions herein contained, dis-

Case in which Kentucky shall be excluded.

charged from all obligation to establish or construct any Road in the State of Kentucky.

Bank charter void, if \$3,000,000 be not contracted in five years.

If work be suspended one year.

Two years to wind up.

SEC. 30. It is hereby declared, that in case the Rail Road Company shall not, within five years, from the first day of January, 1837, have called in and expended, or made contracts to the amount of three millions of dollars, for the construction of the Road, the grant of Banking privileges hereby conferred, shall cease and be revoked. In case the construction of the Road shall be suspended after the Bank goes into operation, for one year, before the final completion of the Road, then this Charter shall be taken, and deemed as null and void; but the Bank shall, in this contingency, be allowed two years for winding up their concerns, without the privilege of doing new business.

No. 32. AN ACT TO AMEND THE CHARTER OF THE LOUISVILLE, CINCINNATI AND CHARLESTON RAIL ROAD COMPANY.—1836. p. 42.

By this the Charter is amended in three particulars :

Three Directors from each State—12 at large.

1. Three of the Directors shall be elected from Stockholders residing in each of the four States, and twelve from Stockholders at large, without regard to residence.

No branches in Kentucky, or extension beyond Lexington.

2. Company discharged from all obligation to construct branches of the Road in Kentucky, or to extend the main Road farther in the State, than from the Southern line thereof, to Lexington.

Amount subscribed in State, may be applied to Road there.

3. That whenever it shall be the unanimous vote of the general Directors residing in any State, requiring it, the general Board of Directors, shall apply the amount subscribed by that State, or its citizens, in the first place, to the construction of such portions of the said Road as may be within the limits of that State.

If Kentucky should not agree, charter to exist for three States.

And it is provided, that if Kentucky should not agree to the amendments proposed, the Company is constituted a body politic for the other three States, according to the Acts of Incorporation, discharged from all obligation to construct any Road, or have any resident Directors in the State of Kentucky, or to have more than 21 general Directors, but shall be bound to extend the Road to the Southern boundary of Kentucky.

By Resolution 1836, p. 151, the Governor was requested to forward to the Governors of North Carolina, Tennessee and Kentucky, the Acts of this Legislature, proposing amendments to the Charter, and conferring Banking privileges, "with the request that they will lay them before their respective Legislatures, for concurring therein."

JOINT RESOLUTION—1836. p. 129.

No. 33.

The Joint Committee of both Houses, to whom was referred so much of the Governor's Message as relates to the Subscription, on the part of the State of South Carolina, to the Louisville, Cincinnati and Charleston Rail Road Company, beg leave to report the following Resolution :

Resolved, That in case the State of Kentucky, shall agree to amend the Charter of the Louisville, Cincinnati and Charleston Rail Road Company, so as to discharge the said Company from the obligation to construct branches of their Road in that State, and to have more than three resident Directors therein, it shall be the duty of the Comptroller General of this State, forthwith to subscribe in the said Company, a number of Shares equal to the amount of the Surplus Revenue, which shall be received by the State as her proportion of the same, under the distribution Act, passed at the last Session of Congress, and pay the advance and instalments thereon, as other Stockholders have done, or may do. But in case the State of Kentucky shall not consent to such amendment, and the States of South Carolina, North Carolina and Tennessee, shall give corporate existence in those States, to the said Company, discharged from all obligation to make any Road in Kentucky, or to have any Directors therein, it shall be the duty of the said Comptroller, to subscribe likewise, on this contingency, to the Stock of the said Company, so incorporated in the said three States, for a number of Shares equal to the amount of the Surplus Revenue which shall be received by this State, as her proportion of the same, under the Distribution Act, passed at the last Session of Congress : *Provided*, That the total amount of the Subscription, may not exceed one million of dollars.

If Kentucky should agree to amendments.

Comptroller General to subscribe Shares equal to the States' portion of the Surplus Revenue.

And pay advance, &c.

If Kentucky should not agree, and the three other States should modify Charter.

Subscription then also-

Not to exceed \$1,000,000.

No. 34.

EXTRACT FROM APPROPRIATION ACT—1836. p. 20.

Comptroller to receive from Bank, instalments on shares subscribed out of Surplus Revenue.

That the Comptroller General shall be authorized to call upon the President of the Bank of the State of South Carolina, for the Instalments, as they become due, on the Shares to be subscribed for in the Louisville, Cincinnati and Charleston Rail Road Company, according to terms and conditions of the Resolutions adopted by the Legislature on the subject, during their present Session, to be paid by the said President, out of the surplus to be received from the General Government.

No. 35.

RESOLUTION—1836. p. 151.

Governor, from Contingent Fund, to pay for surveys.

Resolved, That His Excellency, the Governor, be authorized, from the Contingent Fund, to pay whatever amount may be wanting, beyond the sum appropriated, for effecting the surveys of the Cincinnati and Charleston Rail Road.

Comptroller General to settle accounts of Commissioners for Surveying.

Resolved, That as soon as the surveys of the said Road are completed, the Comptroller General is directed to credit and settle the accounts of the Commissioners, for surveying said Road, under the direction of the Legislature.

Senate concurred.

No. 36.

RESOLUTION—1836. p. 151.

Commissioners represent the Stock of the State.

Resolved, That His Excellency, Governor Butler, of Columbia, T. Bennett, of Charleston, R. G. Mills, of Chester, D. L. Wardlaw, of Abbeville, General Thomas F. Jones, of Laurens, and John Chesnut, of Camden, be appointed Special Commissioners, to represent the Stock, which the State of South Carolina has authorized the Comptroller General to subscribe for, in the Louisville, Cincinnati and Charleston Rail Road; that a majority of the said Commissioners

be authorized to vote for the State, at any election or meeting of Stockholders, or other occasion, on which a vote may be necessary; and that the said Commissioners, or a majority of them, be authorized, on any such occasion, to delegate their powers to any one of their number, or to appoint an Attorney or Attorneys under them, to act as the proxy of the State.

Majority may appoint a proxy.

Ordered to the Senate, for concurrence.

Senate concurred.

JOINT RESOLUTION—1837. p. 55.

No. 37.

Resolved, That the Honorable Patrick Noble, of Abbeville, C. G. Memminger, of Charleston, and Thomas Salmond, of Camden, be appointed Commissioners to represent the Stock of the State in the Louisville, Cincinnati and Charleston Rail Road Company, in the place of the Hon. D. L. Wardlaw, Thomas Bennett, and John Chesnut, who have declined serving.

Change of Commissioners.

JOINT RESOLUTION—EXTRA SESSION, JUNE, 1838. p. 21.

No. 38.

Resolved, That His Excellency the Governor, and the other Commissioners, appointed by the State, to represent her interests in the Louisville, Cincinnati and Charleston Rail Road Company, be each authorized to appoint a proxy, when he cannot attend the meetings of said Company, in person.

Each Commissioner to appoint a proxy.

See an Act to lend the Credit of the State, to secure any Loan which may be made by the Louisville, Cincinnati and Charleston Rail Road Company, and for other purposes.—1837. ch. 13. p. 35.

No. 39.

Other Acts referred to.

Amended, 1835. ch. 11. p. 34.

An Act to authorize the South Western Rail Road Bank, to establish Branches and Agencies in this State.—1838. *ch.* 18. *p.* 42.

An Act to authorize the President and Directors of the Louisville, Cincinnati and Charleston Rail Road Company, to increase the rates of Transportation on the Charleston and Hamburg Rail Road, in certain cases, and to grant certain Vacant Lots in the Town of Columbia.—1838. *ch.* 19. *p.* 42.

No. 40. AN ACT TO AUTHORIZE A SUBSCRIPTION IN BEHALF OF THE STATE, TO THE SOUTH-WESTERN RAIL ROAD BANK.—1838. *Ch.* 20. *p.* 44.

Confirmation of
Subscription to
Bank by Governor.

SEC. 1. *Be it enacted, &c.* That the Subscription made by his Excellency the Governor, in behalf of the State, for ten thousand Shares in the South-Western Rail Road Bank, be, and the same is hereby authorized and confirmed.

Comptroller to
draw instalments
from Bank.

SEC. 2. The Comptroller General is hereby authorized to draw from the Bank of the State, the amount which may be required to pay the instalments due, and to become due, upon the said Subscription, and to demand and receive, from the proper Officers of the Rail Road Bank, the usual scrip, certificates, or receipts, and to hold the same for and on account of the State; and the President and Directors of the said Bank of the State, shall make such arrangements as they shall deem expedient, for paying the said drafts of the Comptroller General: *Provided*, In case the President and Directors of the Bank of the State of South Carolina, shall be of opinion that they cannot advance the said funds required by the said Subscription, without embarrassment to the operations of said Bank, or without violating the faith of the State, pledged in "An Act to provide a Sinking Fund for the redemption of the Six Per Cent. Stock of this State," passed in the year of our Lord, one thousand eight hundred and twenty-one, and pledged in subsequent Acts, for the redemption of all the Stocks subsequently issued, then, and in that case, the Comptroller General is required to issue Stock therefor, on the part, and in behalf of the State, bearing a half yearly interest, at the rate of five per cent. per annum, and redeemable at the end of twenty years.

Unless Bank be of
opinion that they
cannot advance &c.

The Comptroller to
issue Stock.

Dividends to remain
in Bank to meet in-
stalments.

SEC. 3. The dividends which shall be declared by the South-Western Rail Road Bank, upon that portion of its Capital Stock, held by the State, shall

remain on deposit in said Bank, as a fund to meet further instalments upon the said Stock, as they may be called in, and shall, for that purpose, be subject, with any interest to accrue thereon, to the draft of the Comptroller General; Bank and Comptroller to agree as to interest. *Provided*, Such rate of interest shall be allowed on the same, as may be agreed upon between the said Bank and the Comptroller General. *And provided also*, Not less than 3 per cent. That such dividends, so deposited, shall in no instance, draw less than at the rate of three per cent. per annum.

SEC. 4. At all elections or meetings of the Stockholders of the said Bank, the Commissioners now acting, or hereafter to be appointed, under a joint resolution of the Legislature, as proxies, in the Louisville, Cincinnati and Charleston Rail Road Company, or a majority of such as may be present, shall act as proxies of the State. Commissioners to represent State.

SEC. 5. The bonus to be paid by the Bank of Charleston, for the increase of its Capital Stock, shall be paid to the President and Directors of the Bank of the State of South Carolina, and may be by them applied on account of the Subscription aforesaid. Bonus of Bank of Charleston.

JOINT RESOLUTION--1838. p. 160.

No. 41.

WHEREAS, the State of South Carolina is deeply sensible of the great advantages, to be derived by the people of the various States, which have incorporated the Louisville, Cincinnati and Charleston Rail Road Company; and, as an earnest of her own determination to assist in accomplishing the great work undertaken by this Company, has pledged towards its completion, a large portion of her resources, and has granted Banking privileges to the Stockholders, in all the States of Kentucky, Tennessee, North and South Carolina. And whereas, it is deemed of essential importance to the final success of the work, that these privileges should be confirmed, and that co-operation should be afforded by all the States through whose territories the Rail Road is to be constructed, and more especially by the State of Kentucky, whose products, to the amount of several millions, are purchased by our citizens, and whose cordial assistance would insure a successful accomplishment of the enterprise.

Be it therefore Resolved, by the Senate and House of Representatives of the State of South Carolina, That the Governor be authorized and requested,

Special Commissioner to proceed to Kentucky.

forthwith to appoint a Special Commissioner on the part of this State, to proceed to the State of Kentucky, for the purpose of making such explanations, and taking such measures, as may fully apprise the public authorities of that State, of the great interests involved, and procure if possible, their aid and co-operation.

SURPLUS REVENUE.

Extract from

No. 42. "AN ACT TO PROVIDE FOR THE RECEPTION AND DISPOSITION OF SO MUCH OF THE SURPLUS REVENUE OF THE UNITED STATES, AS MAY BE APPORTIONED TO THIS STATE, UNDER THE ACT OF CONGRESS, IN SUCH CASE MADE AND PROVIDED."—*Passed, 1836. Ch. 10. p. 45.*

Comptroller to deposit in Bank.

Not capital, but to be banked upon.

SECTION 3. That the Comptroller General be, and he is hereby authorized and required, upon receiving any portion of the said money, forthwith to cause the same to be deposited in the Bank of the State of South Carolina, to the credit of the State; which shall not be considered a part of the capital of said Bank, but shall be banked upon and employed, like the capital of said Bank, according to the usages and customs of the Bank, until it may be withdrawn by requisition, according to the provisions of the aforesaid Act of Congress, or otherwise disposed of by authority of law.

See Nos. 33. 34. 40.

LOAN FOR RE-BUILDING THE CITY OF CHARLESTON.

Extract from

"AN ACT FOR RE-BUILDING THE CITY OF CHARLESTON."—*Passed June, No. 43.*
1838. *Ch. 3. p. 5.*

SEC. 3. The money, when realized in Charleston, shall be deposited in the Deposit in Bank.
Bank of the State of South Carolina, and shall become part of the capital Capital.
thereof.

* * * * *

SEC. 10. It shall be the duty of the President and Directors of the Bank
of the State of South Carolina, to make proper provisions for the punctual Bank to provide for
interest, and return
of principal.
payment of the interest of such loans as may be effected upon the credit of the
State, under the provisions of this Act, and also, for the ultimate payment of
the principal thereof.

SEC. 11. It shall be the duty of the President and Directors of the Bank
of the State of South Carolina, to cause to be opened in the books of the said
Bank, an account, in which they shall debit themselves with the profits arising Bank to keep ac-
count with Fund.
out of the additional capital, created out of the two millions loan aforesaid, for
the year ending on the first day of October, in the year of our Lord, one
thousand eight hundred and thirty-nine, and with all the future profits of the
said loan, as the same shall hereafter be annually declared; which said fund,
with its annual accumulations, shall be considered solemnly pledged and set Profits pledged.
apart for the payment of the interest on the said loan, and the final redemption
thereof; and it shall be the duty of the President and Directors. of the said Annual report to
Legislature.
Bank, annually, to report to both Branches of the Legislature, the exact state
of that fund.

SEC. 12. When the profits of the said Bank of the State of South Carolina,
shall have paid the interest of certain Stocks, and redeemed the said Stocks, Profits of Bank,
after redemption of
other pledges,
pledged for this
loan.
for which they have heretofore been pledged and set apart, the said profits shall
also be considered solemnly pledged and set apart, for the payment of the inter-
est on the said loan, and the final redemption thereof.

See An Act to amend an Act for Re-building the City of Charleston.—
1838. *Ch. 17. p. 40.*

THE BANK OF THE STATE OF SOUTH CAROLINA.

—
Extract from

No. 44. "AN ACT TO ESTABLISH A BANK ON BEHALF OF, AND FOR THE BENEFIT OF THE
STATE."—1812. p. 47.

Page 51. 13th. The Directors shall keep fair and regular entries, in a book to be provided for the purpose, of their proceedings; and on any question, when two Directors require it, the yeas and nays of the Directors voting shall be duly inserted in their minutes, and those minutes be at all times, on demand, produced to the Legislature, or any Committee thereof, who may be legally authorized to require the same.

Minutes produced
to Legislature.

* * * * *

Legislature to have
general statement.

Page 56. That the Legislature of the State shall be furnished with a general statement of the transactions of the Bank, signed by the Cashier, and countersigned by the President, as often as they may require the same; and it shall also be the duty of the Comptroller General to inspect such general account, in the books of the Bank, as often as he may please; and it shall, and it is hereby declared to be his duty, faithfully to report all and every violation of the fundamental rules of this corporation, to the Legislature. *Provided, however, That nothing in this clause contained, shall imply a right of inspecting the account of any private individual or individuals, or any body politic or corporate, with the Bank.*

Comptroller General
to inspect account
[See No. 45]
and report violations
to Legislature.

—
See No. 47, p. 67.

Extract from

"AN ACT TO EXPLAIN AND AMEND AN ACT ENTITLED 'AN ACT TO ESTABLISH A BANK ON BEHALF OF AND FOR THE BENEFIT OF THE STATE.'"—1813 .p. 33. No. 45.

* * * * *

Page 34. That from and after the passing of this Act, the Legislature shall annually elect, by joint ballot of both branches, a President and twelve Directors, whose services shall commence on the first day of February next ensuing such election, and continue for one year.

President and 12 Directors to be elected by joint ballot.

See No. 48, p. 67.

Page 35. That the Comptroller General shall be furnished, as often as he may require, not exceeding once a month, with statements of the amount of the capital stock of the Bank, and of the debts due to the same—of the monies deposited therein—of the notes in circulation, and of the cash in hand; and he shall, under the injunction of secrecy, have a right to inspect all the accounts and books of the Bank: **Provided, that this right shall not be construed to imply a right of inspecting the account of any private individual or individuals, with the Bank.* And it shall be the duty of the said Comptroller General to make an annual report to the Legislature, on the subject of the Bank; and if, in his opinion, the transactions of the Bank, or any particular circumstance relating thereto, shall require it, he shall apply to the House for a Select Committee of three Members, to be appointed, who shall, *under a like injunction of secrecy*, take into consideration any matters relating to the said Bank, submitted to them by the Comptroller General, and report thereon, at their discretion, to the Legislature.

Comptroller General to have statements monthly.

Secrecy.

*See No. 47.

Comptroller to make annual report to the Legislature on Bank; and may apply for Select Committee of examination.

That the Comptroller General for the time being, shall not be a Director, nor hold any office of trust or profit, in or under any Bank whatsoever.

Comptroller General not a Director or officer in any Bank.

Extract from

No. 46. "AN ACT TO ALTER AND AMEND AN ACT ENTITLED 'AN ACT TO ESTABLISH A BANK ON BEHALF OF AND FOR THE BENEFIT OF THE STATE.'"—1817. p. 25.

Comptroller General to have access to all the books and accounts except personal ledger.
*See No. 47.

SEC. 2. That the Comptroller for the time being shall be, and he is hereby authorized, whenever he may think proper, to have access to, for examination, all the Books and Accounts of the Bank of the State, **except the personal ledger or book in which the deposits of individuals are entered.*

No. 47. AN ACT TO AMEND THE CHARTER OF THE BANK OF THE STATE OF SOUTH-CAROLINA—1824. *Ch. 20. p. 69.*

Committees of Inspection.

SEC. 1. *Be it enacted, &c.* That there shall be appointed, at the first session of every new Legislature, by a joint resolution of both branches of the Legislature, a Committee of Inspection for the principal Bank of the State of South-Carolina, in Charleston, and a Committee for each of the said Branches of said Bank. The said Committees shall respectively consist of five persons each.

To examine and report: with Comptroller General.

SEC. 2. It shall be the duty of the several Committees, with the Comptroller General, to examine minutely into the affairs and situation of the principal Bank and its Branches, for which they are respectively appointed, and to report to the Legislature, at their next session, the result thereof, and particularly all mismanagement in the affairs of the said Bank or its Branches, if any such have occurred.

In absence of Comptroller General.

SEC. 3. That in case the Comptroller General should not attend at any of the investigations authorized by this Act, the said Committees, or a majority of each, shall be, and they are hereby authorized to make such investigation, in the absence of the Comptroller General.

All clauses prohibiting full investigation, repealed.

SEC. 4. That all clauses or parts of clauses in any Act of the General Assembly of this State, which may prohibit the said Committee and the Comptroller General, from investigating fully, the books, accounts, and other documents of the said Bank or its Branches, be, and the same is hereby repealed.

Extracts from

AN ACT CONCERNING THE BANK OF THE STATE OF SOUTH-CAROLINA.—*Passed* No. 48.
1831. *Ch. 31. p. 49.*

SEC. 1. That from and immediately after the passing of this Act, all Directors who may be chosen by the Legislature, to serve in the Parent Bank, shall take their seats and become members of the said Board, as soon after the rising of the Legislature, as they shall be notified of their appointment; and that it shall be the duty of the President to give the information by the earliest mode of conveyance.

Directors to take seats immediately after adjournment of Legislature.

President to give notice.

* * * *

SEC. 5. That it shall be the duty of the President to lay before the Legislature, at every sitting, the account of every salaried officer belonging to the Parent Bank or its Branches, shewing the amount which they owe, and how long the same has been due.

President to report account of every salaried officer.

JOINT RESOLUTION—1823. p. 116. No. 49.

Resolved, That it shall be the duty of the President of the Bank of the State of South-Carolina, to attend at Columbia, during each and every session of the Legislature, for the purpose of giving such information relating to that institution, as may be required of him.

President to attend session.

JOINT RESOLUTION—1825. p. 113. No. 50.

Resolved, That at each session of the Legislature, a Joint Committee of the two Houses shall be appointed to nominate fit and suitable persons as Directors of the Bank of the State of South-Carolina; and the names of persons recom-

Committee to nominate Directors.

mended by them, shall be reported as early as possible in the session, for the consideration of the Members—at least six days before the election.

Resolved, That the Committee appointed by the Legislature, to examine the state of the Bank and its Branches, shall be Members of the Joint Committee, to which such other Members of each Branch of the Legislature shall be added, as the Houses respectively shall deem expedient.

Extract from

No. 51. AN ACT TO RE-CHARTER THE BANK OF THE STATE OF SOUTH-CAROLINA.—
1833. Ch. 17. p. 57.

Charter continued
until 1st May, 1856.

That an Act entitled “An Act to establish a Bank in behalf of and for the benefit of the State,” passed 19th December, 1812, and all other Acts now of force, relating to the conduct and operations of the said Bank, be, and they are hereby re-chartered and continued of force, until the 1st day of May, in the year of our Lord 1856.

No. 52.

JOINT RESOLUTION APPENDED TO REPORT—1838. p. 117.

Bank to preserve at
par bills of other
Banks.

Resolved, That the President and Directors of the Bank of the State of South-Carolina be authorized and requested to take such measures, as in their judgment may be deemed proper, to preserve at par, throughout the State, the bills which may be issued by any Bank within its limits.

See Resolution as to Gen. Sumter,	- - - -	1827. p. 37.	References.
" " " Columbia Female Academy,	-	1833. p. 12.	
" " " Gen. M'Duffie,	- - -	1837. p. 56.	
" Report to the Comptroller General,	- -	1834. p. 2.	

And other Acts concerning the Bank.

1814. p. 20.	1816. p. 19.	1817. p. 24.
1818. p. 24.	1818. p. 43.	1818. p. 57.
1822. p. 44.	1826. p. 21.	1827. p. 38.
1830. p. 29.	1832. p. 8.	1837. p. 17.

Surplus Revenue, Nos. 42, 33, 34.

Loan to Charleston and Cincinnati Rail Road, No. 39.

Subscription to South-Western Rail Road Bank, No. 40.

Loan for re-building Charleston, No. 43.

COMPTROLLER GENERAL.

Extracts from an Act passed 1801, entitled

"AN ACT TO ESTABLISH THE OFFICE OF COMPTROLLER GENERAL, TO PROVIDE FOR THE MORE PUNCTUAL COLLECTION OF TAXES AND DEBTS DUE TO THE STATE, AND FOR THE BETTER ADMINISTRATION OF THE PUBLIC REVENUE."—
2 *Faust*. p. 422. No. 53.

SEC. 1. The Comptroller "shall prepare, and report at every session of the Legislature, estimates of the public revenue and public expenditure; and shall at the same time render fair and accurate copies of all the Treasurer's monthly reports, and a true and accurate account of the actual state of each Department of the Treasury; and the books of the Treasurers of this State shall, at all seasonable times, be open to the inspection and examination of the said Comptroller; as shall also the books and accounts of all other person or persons concerned in the collection or safe keeping of any of the public monies or funds of this State.

Comptroller to report to Legislature estimates.

Copies of Treasurer's monthly reports.

Books of Treasurers open to him:

And of all others concerned with public money.

Commissioner of
Public Accounts:

7. "The said Comptroller shall perform the duties of the Commissioner of Public Accounts, as heretofore performed by the Treasurer, at Charleston, besides the duties aforesaid prescribed, and shall reside, during the sitting of the Legislature, at Columbia.

Reside at Columbia
during session.

Accounts to be sent
to Treasurer, and
reported by Comptroller.

9. "All accounts against the State, shall be transmitted to *one of the Treasurers, who shall send them to* the Comptroller, on or before the first day of October in every year; and it shall be the duty of the Comptroller to examine the said accounts, and transmit them to the Legislature, with his report, as soon as may be, after the commencement of their session.

See No. 64.

Elected by Legisla-
ture.

8. "The said Comptroller shall be elected by both branches of the Legislature of this State, shall be commissioned by the Governor, for the time being, shall commence the duties of his office from the first day of March next ensuing his election, and shall continue in office for two years from that time.

Commissioned.

Commence 1st of
March.
Continue two years.
See No. 71.

Treasurer, whose
accounts are unset-
tled, shall not be
eligible.

12. "No former Treasurer, whose accounts have not been settled under the inspection of the Comptroller, shall be eligible to the office of Comptroller."

Extracts from

No. 54. AN ACT ENTITLED "AN ACT SUPPLEMENTARY TO AN ACT ENTITLED AN ACT FOR DECLARING THE POWERS AND DUTIES OF THE ENQUIRERS, ASSESSORS, AND COLLECTORS OF THE TAXES, AND OF OTHER PERSONS CONCERNED THEREIN."—*Passed* 1803. 2 *Faust*, p. 486.

Comptroller to call
on Commissioners
of Public Buildings,
and report to Legis-
lature.

SEC. 8. p. 488. That the Comptroller General be, and he is hereby authorized and required, publicly to call upon the Commissioners in the several Districts throughout this State, who have received, or shall hereafter receive, monies for the construction and repairs of public buildings, and the Commissioners of Columbia, to render an account to him of the application of such monies; which accounts shall be annually laid before the Legislature.

See No. 79.

See Nos. 59, 64, 60,
61.

Vide Acts 1807. p. 16; 1808. p. 15.

Salaries payable
quarterly.

30. p. 496. That it shall be the duty of the Treasurers to pay the salaries of all public officers on the civil list, quarterly, and not earlier.

31. p. 497. That it shall be the duty of the Treasurers, and they are hereby directed, personally, to raise an account in the Treasurer's books, in every instance, for the several appropriations made by the Legislature, so that the appropriations of money, and applications thereof, conformably thereto, may appear clearly and distinctly, on the Treasury books.

Treasurer to keep account with every appropriation.

See No. 64.

12. p. 490. That it shall be the duty of the Treasurer to report to the House, at their annual session, every instance of default in any Tax Collector, in his Division, and to instruct the Attorney General, or Solicitors, respectively, to prosecute such defaulters, as soon as any instance of default shall occur. And it shall be the duty of the said Treasurers, respectively, strictly to enforce the means which they are by law authorized to make use of, to compel the Tax Collectors to the due performance of their duties. And any Treasurer, failing to make use of such means, he shall be held liable to make good any loss which the State shall sustain thereby.

Treasurer to report defaulting Tax Collector.

Instruct Attorney General and Solicitors.

Use means to compel their due performance of duties.

Penalty.

Extract from the

ACT TO RAISE SUPPLIES FOR 1813.—1813. p. 14.

No. 55.

It shall be the duty of the Commissioners of Poor and of the Roads, in the several Districts and Parishes within this State, by their Secretary or Treasurer, to render, on oath, to the Clerks of the Circuit Courts, in their respective Districts, on or before the first Monday in September, in every year, a correct account of all monies by them received, and the manner in which the same have been applied; and it shall be the duty of the Clerks of the said Courts, respectively, to transmit certified copies thereof, to the Comptroller General, to be by him laid before the Legislature. And in case the Commissioners shall fail to make their returns, as required, aforesaid, **they shall respectively as a Board*, forfeit and pay the sum of one hundred dollars; and the Clerks of the aforesaid Courts shall, on failure to make the aforesaid returns, also forfeit and pay the sum of one hundred dollars; the aforesaid penalties to be recovered in any Court of Law, having competent jurisdiction, by action of debt. And it shall be the duty of the Attorney General and Solicitors, in their respective Circuits, to enquire of the Clerks of the respective District Courts, whether

Commissioners of Poor and Roads.

Commissioners of the Poor, and Commissioners of Roads to render accounts to Clerks.

Clerks to Attorney General.

He to Legislature.

* See No. 54.

Penalty.

Attorney General and Solicitors to inquire of Clerks and Comptroller General.

the aforesaid Commissioners of the Poor, and Commissioners of the Roads, have made their returns to the Clerks, as aforesaid, and enquire of the Comptroller General, whether the Clerks of the respective Courts, have made the returns above required; and in case the Commissioners and Clerks, as aforesaid, have not made their returns as above directed, then the Attorney General, or Solicitor, as the case may be, is hereby directed and required to sue for, and recover, in behalf of the State, the penalty which is by this Act declared.

And sue.

Extract from the

No. 56.

ACT TO RAISE SUPPLIES FOR 1818.—1818. p. 6.

Treasurers of Board
to be elected, and to
make returns.

It shall be the duty of the Commissioners of Roads and Poor, in the several Districts and Parishes in this State, at their next general meeting, to elect some person as Treasurer, who shall enter into bond, with securities, to be approved by a majority of the Commissioners of each District or Parish, payable to the State of South Carolina, in such penal sum as the said Commissioners of the Roads and Poor, shall deem sufficient, for the faithful discharge of the duties of his office; which bond shall be deposited in the Treasury of the Division in which the said Treasurers may respectively reside; and it shall be the duty of the said Treasurers, to return to the Clerks of the Courts, in which they respectively reside, an account of all monies due to the Commissioners, for whom they are Treasurers, as well as an account of the receipts and expenditures, at the same time and in the same manner as the said Commissioners are now by law required: and for neglect of this duty, shall be liable to the same pains and penalties, to which the said Commissioners are now by law liable. And the said Treasurers shall, respectively, have and receive for their trouble, two and a half per cent. on all sums received, and two and a half per cent. on all sums paid away by them.

Commissions.

Extract from the

ACT TO RAISE SUPPLIES FOR 1813.—1813. p. 16.

No. 57.

Fines.

It shall be the duty of the Attorney General, and each of the Solicitors of the different Circuits, to certify to the Comptroller General, on or before the first Monday in October, in every year, the fines and forfeitures which have been had or inflicted by the Courts upon his Circuit, within the year, next preceding the day aforesaid; and that it shall be the duty of each of the Clerks of the several Circuit Court Districts, to return to the Comptroller General, on or before the same day, in every year, an account, upon oath, of all the fines and forfeitures inflicted, had or received within his District Court, of the manner how appropriated, or remitted, **and to pay over to the Treasurer of the State, the balance in hand on that day*; that in failure of any Clerk, to render such account, he shall forfeit and pay the sum of two hundred dollars, to be recovered in any Court having competent jurisdiction. And it shall be the duty of the Comptroller General, to direct the Attorney General or Solicitors, as the case may be, to sue for and recover the said sum, of such Clerk as shall fail to render such account.

Attorney and Solicitor to certify fines to Comptroller General.

Clerks to return to Comptroller General account of fines.

Penalty on Clerk.

Comptroller General to direct Attorney General and Solicitors to sue for it.

The said Attorney General or Solicitors, neglecting to perform the duty required by the preceding clause, they shall be subject to the penalty of one hundred dollars, to be recovered in any Court having competent jurisdiction.

Attorney General and Solicitors subject to penalty.

See similar clauses in Acts to Raise Supplies, 1810, 1809, 1808, and clauses directing Clerks to collect Fines, and render an Account, in Acts to Raise Supplies, 1820, 1821, and 1822: 8.

Extract from the

ACT TO RAISE SUPPLIES FOR 1812.—1812. p. 12.

No. 58.

Transient Poor.

That the Comptroller General be, and he is hereby required and directed, annually to call on the Treasurer of the City Council of Charleston, to render

Comptroller General, to procure and

* Fines directed to be paid to the Commissioners of Public Buildings. Act 1827. p. 34. See No. 77.

report account of an account, on oath, of the application of such monies as are appropriated for the Transient Poor, and for other purposes, and that the account, so rendered, be laid before the Legislature.

See similar clause in Acts to Raise Supplies, for many years preceding 1812, and clauses in late Appropriation Acts, requiring an account from the City Council of Charleston, to the Legislature, and similar clauses concerning the Appropriations of the Transient Poor of Georgetown, requiring accounts to be rendered to the Legislature, by the Commissioners of the Poor for Prince George, Winyaw.

Extract from

No. 59.

ACT TO RAISE SUPPLIES FOR 1818.—1818. p. 5.

Debts of State.
Treasurers, Attorney General and Solicitors, and others, to report to Comptroller General, all debts due to State.

It shall be the duty of the Treasurers of the Upper and Lower Divisions, the Attorney General, the Solicitors, the Commissioners of Columbia, and every other person having in his possession the evidence of any debt due to the State, on the first day of October in every year, to furnish the Comptroller General with a statement of all debts due to the State, in their several possessions, shewing the names of the debtors, the amount of debt, the interest, the payments made, and the balance due to the State: from which statements, as well as any other information he can obtain, it shall be the duty of the Comptroller General to make a general statement, shewing all monies due to the State, (except the old bonds given for confiscated property,) and lay the same before the Legislature, with his annual report: and should either of the officers above mentioned, fail to furnish the Attorney General with the statement above required, he shall forfeit and pay the sum of two hundred dollars, to be recovered by action, in any Court of Law in this State, having competent jurisdiction.

Comptroller General to report general statement to Legislature.

See No. 64.

Penalty on Officers.

JOINT RESOLUTION—1826. p. 46.

No. 60.

Resolved, That it be required of the Comptroller General, to report, annually, to this House, all Public Officers, Commissioners, and other persons who may have received, on behalf and in the name of the State, any monies or evidences of debts, &c., and not accounted therefor, to his satisfaction, before the meeting of the Legislature, to the end that such proceeding, by way of impeachment or prosecution, as circumstances may require, may be had therein, without delay.

Comptroller General to report all defaulting receivers.

See 64, 59, 61.

JOINT RESOLUTION—1827. p. 42.

No. 61.

The Special Joint Committee of this House, appointed at the last Session of the Legislature, who were directed to inquire into the propriety and expediency of making such alterations in the duties of Comptroller General, as may be adapted to the better and more economical collection and disbursements of the revenue of the State, beg leave to report the following Resolutions.

1. *Resolved*, That it shall be the duty of the Comptroller General, to present to the Legislature, at every Session, a scheme of Revenue for the ensuing year; and to suggest all such means in the collection and disbursements of the revenue, as may increase the amount to be raised, and diminish the expenses of collection.

Comptroller to report a scheme of Revenue.

2. *Resolved*, That all the public officers, corporations and other persons, charged with the receipt and expenditure of public money, do return their accounts and vouchers to the Comptroller General, on or before the first day of November, annually. And that it shall be his duty to accompany his annual reports, with a statement of all public officers, corporations, and other persons who make default in the returns herein required.

See No. 64.

Report all defaulting officers, corporations, &c.

3. *Resolved*, That no account shall hereafter be submitted to the Committee of Accounts, unless it shall be duly audited and reported by the Comptroller General.

Audit and report accounts. See No. 64.

4. *Resolved*, That the Contingent Accounts of the Lower Division, acted upon by the Legislature, shall be filed in the Comptroller's Office, in Columbia.

Contingent accounts of Lower Division.

- System of Book-Keeping. 5. *Resolved*, That the Comptroller General be authorized and directed, to establish such a system of Book Keeping, in the Treasuries of the Upper and Lower Divisions, and to designate such forms of their monthly reports, as he shall deem necessary.
- Report Balance Sheets. 6. *Resolved*, That the Comptroller General be directed to accompany his annual reports to the Legislature, with an accurate balance sheet of all specific appropriations made by the Legislature, with such remarks as are necessary to explain the same. And that he be also directed to report, at each session of the Legislature, for the use of its Committees, balance sheets of the several accounts opened in the Treasury, or in his Department, under each of the following heads, viz:—Free Schools, Annuities and Pensions, Public Buildings, Internal Improvements.
- See No. 64. 7. *Resolved*, That the Treasuries of the Upper and Lower Divisions, be directed, from time to time, to furnish the Comptroller General with such transcripts and statements of accounts, as he may require.
- Treasurers to furnish transcripts, &c. 8. *Resolved*, That the Comptroller General be directed, in his annual report of taxes collected, to designate the years for which the same may have been collected.
- Years for which taxes were collected

No. 62.

JOINT RESOLUTION—1829. p. 25.

The Special Committee, to whom was referred the report of the Comptroller General, founded on a resolution of the Senate, in relation to the apparent decrease of slaves, and the amount of tax on slaves, for the years 1825 and 1826, report:

That from the Comptroller's exhibits, it would appear, that in 1825 and 1826, a diminution in the number of slaves, of 33,856, and in the amount of tax on that description of property, of \$25,397 25 cents, had occurred. In the years alluded to, the whole tax on slaves was not placed in the appropriate column, but a part was blended with the aggregate of taxes, and the slaves in the Districts in which their owners did not live, were not mentioned. Hence, although the State seems to have been credited with the full tax due by our citizens, for those years, yet, without the explanation afforded by the Comp-

troller, in his late annual exhibit, and in the report referred to your Committee, the conclusion would have been inevitable that the State had actually sustained the loss already adverted to.

With a view to a more correct exposition of the taxable property in the various sections of the State, your Committee beg leave to recommend, that the Comptroller be requested so to shape his reports hereafter, as that the number of slaves in each Parish or District, and the amount of tax on slaves, for which such Parish or District is liable, may be correctly ascertained.

Shape of report as to number of slaves.

JOINT RESOLUTION—1829. p. 52.

No. 63.

Resolved, That the Comptroller General be, and he is hereby required, to use all legal measures to recover the balances due to the State, by the past and present Tax Collectors, Sheriffs, and Coroners, except in cases in which the said Comptroller shall be satisfied that a recovery is impossible, either by the insolvency of the parties and their securities, or otherwise.

Comptroller General to collect balances from Tax Collectors, Sheriffs and Coroners.

ACTS OF 1834. CH. 21. p. 49.

AN ACT TO REGULATE THE OFFICE OF COMPTROLLER GENERAL.

No. 64.

SEC. 1. *Be it enacted, &c.* That the Comptroller General shall hereafter keep a set of books, exhibiting the separate transactions of the Treasury Department, which set of books will be a transcript of the books of the two Treasuries, combined in one digested set, constituting a complete check upon those offices.

Books to be kept by Comptroller.

SEC. 2. The Comptroller General, in addition to the exhibits of cash transactions of the Treasuries, shall annually report to the Legislature a balance sheet of the books aforesaid, setting forth, as well by whom debts are due to the State, as the amount of those debts.

Report balance sheet.

Book for appropriations:

SEC. 3. It shall also be his duty to keep a book, in which all appropriations by the Legislature shall be entered, with all the payments made under them; and to keep another book, properly indexed, in which he shall enter all contingent accounts, allowed by the Legislature, and the time at which payment on the same shall be made.

Another for contingent accounts.

See No. 54.

Disbursement of public money: All engaged in to report to Comptroller:

See Nos. 59, 60, 61.

SEC. 4. That all persons having the distribution of the public money, shall annually, on the first day of October, in each and every year, render to the Comptroller General an account, setting forth the funds committed to them, respectively, and its expenditure, and the Comptroller General shall examine the same, and report thereon to the Legislature; and it shall also be the duty of the Comptroller General, to enter into books kept for that purpose, such a statement of their accounts, respectively, as will enable him at any time to shew how said accounts stand between the parties, respectively.

He to Legislature:

And keep proper accounts.

Contingent accounts to be returned to Comptroller General, examined and reported.

SEC. 5. Every contingent account against the State, shall hereafter be presented at the Comptroller General's office, in Columbia or Charleston, on or before the first day of October, in each year; and it shall be his duty to examine the same, and report thereon to the Legislature, at its next sitting; and no such account shall be considered or acted on by the Legislature, before it has been examined and reported on by the Comptroller General; and as a compensation for the additional duties required by this Act, he shall be entitled to receive five hundred dollars, in addition to the salary to which he is now entitled by law.

Salary increased.

SUPERINTENDENT OF PUBLIC WORKS.

Extract from

No. 65.

"AN ACT CONCERNING THE PUBLIC WORKS."—1829. p. 14.

Superintendent to enter on duties 1st Feb. and continue one year.

SEC. 1. That the Superintendent of Public Works, elected at the present session of the Legislature, shall continue in office until the first day of February, in the year of our Lord one thousand eight hundred and thirty-one; and each Superintendent thereafter elected, shall enter upon the duties of his office on the first day of February succeeding his election, and continue in office one year.

ACTS 1830. p. 23.

SEC. 3. That the Superintendent of Public Works be authorized and required to keep the several Canals and Turnpike Roads in good repair, and to defray the expenses thereof out of the State tolls: *Provided*, that no contract for such repairs, to exceed the amount of the toll, shall at any time be made, without having been first submitted to, and sanctioned by the Legislature.

To repair roads and canals, from tolls, but not exceed tolls, without sanction of Legislature.

Extract from

APPROPRIATION ACT—1824. p. 14.

No. 66.

That hereafter, no Superintendent of Public Works, Commissioners or Agents of the State, shall enter into or make any contract for the performance of any work or service, authorized by the Legislature, by which to bind the State for the payment of any greater sum of money than such sum as may be appropriated by the same, for the specific purpose for which such contract is made. And if any such contract shall hereafter be made, the same is hereby declared null and void; and the Superintendent or Commissioners so making such contract, shall (as the case may be) be liable to answer to the party with whom such contract is made, for any damage sustained by reason thereof.

No contract by Superintendent, Commissioners or Agents to exceed appropriation.

Null and void.

Damage.

See Acts 1822. p. 19; 1828. p. 24; 1829. p. 14; 1830. p. 23; 1833. p. 46.

A Resolution, 1829, p. 39, directing a full and important report to the Legislature, at its next session.

A Resolution, 1826, p. 44, directs an annual return to the Comptroller, by the Superintendent, of the amount expended in the past year, on internal improvements.

Return to Comptroller.

JOINT RESOLUTION—1827. p. 66.

No. 67.

Resolved, That in future, the Superintendent of Public Works shall not be authorized to contract with any Member of the Legislature.

No contract with Member of Legislature.

LUNATIC ASYLUM.

*Extracts from*No. 68. "AN ACT TO CARRY INTO OPERATION THE LUNATIC ASYLUM."—*Passed 1827.**Ch. 9. p. 35.*Nine Regents to be
elected for 6 years.

SEC. 1. That there shall be elected, by both branches of the Legislature, nine Regents of the Lunatic Asylum, who shall hold their offices for six years from the day of election, except those who shall be first elected, who shall go out of office according to a ballot, to be drawn by the Speaker of the House and President of the Senate, and reported to the Legislature, in the following order, viz: The three Regents whose names are first drawn, to go out of office at the end of two years from the day of election; the three Regents whose names shall be next drawn, shall go out of office at the end of four years from the day of election; and the remaining Regents shall go out of office at the end of six years from the day of election. The Regents shall be re-eligible. A vacancy in the Regency shall be filled by the other Regents, till the next regular Legislative election,

Vacancy filled.

To report annually
to Legislature:And to Comptroller
General.

SEC. 4. It shall be the duty of the Regents, hereby directed to be appointed, to report annually to the Legislature, the state and condition of the Institution, fully and particularly; and they shall also annually report to the Comptroller General, the amount of income of said Institution, and the amount of expenditures, and the items thereof.

No. 69.

ACT 1829. CH. 4. p. 15.

Transient pauper
patients to be sup-
ported by State.

SEC. 2. Transient Paupers, Lunatics, Idiots, or Epileptics, sent to the Asylum, by virtue of the existing laws, shall be supported at the public expense; and the Regents are hereby authorized to draw from the Treasury, for every such Lunatic, **eighty dollars* per annum, until the Regents shall have ascertained

the former permanent domicil of such Lunatic, when they shall be supported by the District to which he or they shall belong. And it shall be the duty of the Regents to report specially, to every Legislature, the whole number of this class of Lunatics, Idiots, or Epileptics, while they remain a charge upon the public Treasury.

Regents to report them specially.

* Act 1831, ch. 33, p. 54. Requires the Commissioners of the Poor of each District, to send their resident pauper idiots, &c., to the Asylum, and support them there, at the charge of the District, at the rate of *one hundred dollars* per annum.

District to send resident pauper patients.

SEC. 2. Requires transient pauper idiots, &c., sent to the Asylum, to be supported at the public charge, and authorizes the Regents to draw for the support of every such pauper, from the Treasury, at the rate of *one hundred dollars* per annum, until the Regents shall have ascertained the domicil of such pauper, when the District or Parish shall be charged with such support; with a right of appeal on the part of the Commissioners, adjudged by the Regents to be chargeable, to the Court of Sessions; the Solicitor to defend the interests of the State.

Right of appeal.

See Report, 1833. p. 30.

FIRE PROOF BUILDING IN CHARLESTON.

Extract from

APPROPRIATION ACT—1828. p. 11.

No. 70.

That the Commissioners of Public Buildings, for Charleston District, be, and they are hereby authorized, to rent out such of the rooms in the Fire Proof Building, as may not be required for public uses: *Provided*, It be done upon such terms as will preclude the use of fire or candle light, upon any occasion, in said building; and that the said Commissioners shall apply the proceeds of said

Commissioners of Public Buildings to rent.

Apply to repairs. rents to the keeping of said building in repair, and render an annual account to
 Annual account to the Legislature, of their receipts and expenditures, and of the specific objects to
 Legislature. which they may have applied the monies received.

See Resolutions 1822. p. 102. 1827. p. 44. 1837. p. 54.

Act 1826. p. 13,

And Appropriation for 1833, and since, of *Salary for Superintendent.*

PUBLIC OFFICERS.

No. 71.

ACT 1787. P. L. p. 427.

Office above £150,
 not to be held with
 another.

SEC. 3. No officer heretofore elected, or hereafter to be elected, to any pecuniary office in this State, above £150, shall hold any other office of emolument, under this, or the United States.

No. 72.

ACT 1789. P. L. p. 475.

AN ACT TO PREVENT PERSONS HOLDING CERTAIN OFFICES OF EMOLUMENT FROM
 LEAVING THE STATE.

“It shall not be lawful for any Judge, Attorney General, Commissioner of the Treasury, Auditor, Collector of the Customs, Register of Mesne Conveyance, Secretary of State, or Surveyor General, to leave this State without permission first had and obtained from” the Governor: a violation incurs a forfeiture of office; leave to be granted by the Governor, in case of sickness, and for no other purpose.

ACT 1791. 1 *Faust*, p. 168.

That the Act entitled "An Act to prevent persons holding certain offices, from leaving the State," be, and the same is hereby repealed, as far as it totally prohibits the persons therein mentioned from leaving the State, without permission first obtained from the Governor of the State; and such officers shall be, and are hereby authorized and permitted, at proper times, when the same can be done without prejudice to the interest of the State, to leave the State, without such permission first obtained, for any space of time not exceeding thirty days; and when the said officers shall be desirous of leaving the State for longer time, they shall apply to His Excellency the Governor, for permission to do so; and he is hereby empowered to grant permission for such reasonable absence as may be consistent with the public interest, on account of sickness, or any other proper cause suggested by applicant.

Act of 1789 repealed.

Officers allowed, at proper times, to leave State, without permission, for term of 30 days.

Governor to grant permission for longer time, on proper cause.

ACT 1791. 1 *Faust*, p. 155.

No. 73.

That every Inquirer, Assessor, and Collector of Taxes, shall hold his office only during the pleasure of the Legislature of this State.

Assessors, &c. to hold during pleasure of Legislature.

Extract from an Act passed 1812, (p. 35) entitled

"AN ACT LIMITING THE TERM OF SERVICE OF CERTAIN OFFICERS, WHO HAVE HERETOFORE HELD THEIR OFFICES DURING GOOD BEHAVIOUR, AND FOR OTHER PURPOSES THEREIN MENTIONED."

No. 74.

1. The following officers shall hereafter be elected by joint ballot of both branches of the Legislature, for the term of time hereinafter mentioned: Attorney General, for four years; Solicitors, for four years; * Tax Collectors, for four years; † Ordinaries, for four years; Clerks of the Courts of Session and Common

Officers to be elected by joint ballot, for four years.

* See 1836. p. 89, giving the election of Tax Collectors to the people.

† See Act 1815. p. 55, giving the election of these officers to the people.

Pleas, for four years; Registers, Masters and Commissioners of the Courts of Equity, for four years; Commissioners of Locations, and Registers of Mesne Conveyance, for four years, each; and the aforesaid officers to hold their offices for the respective terms aforesaid, and *until another is elected.* *

Majority of votes.

2. In all joint ballots for the officers above mentioned, a majority of all the votes given on such joint ballot, shall be necessary to constitute an election.

Comptroller General shall be elected for two years, but not re-eligible after four years.

4. The Comptroller General shall be elected as heretofore, for two years, but after having served four years in succession, shall not be re-eligible to that office till after the expiration of two years.

* ACT 1819. p. 25.

To hold until a successor has been commissioned.

These officers "shall hold their respective offices during the term of four years, and also until a successor in office shall have been elected, and shall be commissioned, and enter upon the duties of his office."

Extract from

No. 75. "AN ACT CONCERNING THE BONDS OF PUBLIC OFFICERS."—1829. C. 7, p. 21.

Bonds.

Comptroller General to send blanks with Acts.

SEC. 2. It shall be the duty of the Comptroller General to ascertain the number of officers in this State, from whom bonds are required, and to cause an equal number of *said* bonds to be printed annually, at the expense of the State, having thereon the blank forms for Commissioners to approve securities, and the probate; and to distribute to each District, with the Acts of the Assembly, annually, a number of *said* bonds, equal to the number of *said* Officers in *said* District, respectively.

JOINT RESOLUTION—1822. p. 101.

No. 76.

Resolved, That it is the duty of the Secretary of State, Surveyor General, and all the Recording Officers within this State, to make out regular indexes of the Records in their offices; and that, if any of the said Recording Officers shall have neglected, or may hereafter neglect, to make out such indexes, upon satisfactory information thereof, made to the Governor, it shall be his duty to appoint some fit and proper person to make out such indexes, at the expense of the several officers so neglecting their duty,

Recording officers to make indexes.

Governor.

AN ACT TO PROVIDE FOR THE REPAIRING OF COURT HOUSES AND JAILS IN THIS STATE.—1827. Ch. 6. p. 33.

No. 77.

SEC. 1. *Be it enacted, &c.*, That from and after the passing of this Act, seven Commissioners shall be appointed by a Joint Resolution of both branches of the Legislature, for each Circuit Court District in this State, whose duty it shall be to keep in repair and superintend the Court Houses and Jails of their respective Districts, and if any person, so appointed, shall refuse to act, or neglect to perform the duty of a Commissioner, he shall forfeit a sum not exceeding fifty dollars, to be recovered by indictment, and the money so forfeited shall be paid to the Acting Commissioners for such District, to be applied by them in repairing the Court House and Jail of the District for which such person shall have been appointed.

Commissioners of Public Buildings to be appointed by joint resolution.

\$50 for refusal to act.

SEC. 2. That each Board of Commissioners shall be appointed to serve for four years, and until the appointment of a new Board be made, and shall have power to fill all vacancies in their number, occasioned by death, resignation, removal from the District, or refusal of any person appointed to serve; and the person so elected, shall have all the powers, and be subject to all the penalties, provided for in the first clause of this Act; but no person elected or appointed, shall be compelled to serve more than four years in succession.

To serve for four years, and fill vacancies.

Compelled to serve only four years.

SEC. 3. That the said Commissioners shall meet and form a Board within their respective Circuit Court Districts, at such time and place as a majority of them shall appoint, and shall have power to appoint a Chairman and all necessary

Form Board.

Assess money for
repairs of Court
House and Jail.

Report to Comp-
troller General.

Fines to be paid to
Commissioners.

See No. 57.

Right of informer
saved.

Not to affect pre-
sent or former ap-
propriations.

officers; and the said Commissioners, or a majority of them, shall have full power and authority, as often as they may think necessary, to assess, levy, and collect, in the same manner, and to the same extent, as Commissioners of the Poor are now authorized by law, all such sums of money as may be necessary for repairing the Court House and Jail of their respective Circuit Court Districts, and it shall be the duty of each Board of Commissioners, annually to report to the Comptroller General the sums of money so assessed and levied by them, for the purposes aforesaid.

SEC. 4. That all fines and forfeitures incurred and imposed in any Court of Sessions, for any Circuit Court District in this State, shall be paid to the Commissioners of Public Buildings for such District; to be applied in aid of their assessments, for the purposes aforesaid: *Provided*, That nothing in this clause contained, shall be construed to interfere with the right of any informer, where the whole or any part of a fine or forfeiture is given to him or her, by any Act heretofore passed.

SEC. 5. That nothing herein contained, shall affect any appropriations for Public Buildings, made at this or any previous session of the Legislature.

No. 78

JOINT RESOLUTION—1823. p. 113.

Commissioner not
to be contractor.

Resolved, That no Commissioner of Public Buildings shall hereafter become the contractor for, or the undertaker of, any building or work, the construction of which it is his duty to superintend, or he is in any way interested in such contract or undertaking.

No. 79.

JOINT RESOLUTION—1826. p. 45.

Commissioners to
report to Legisla-
ture.

See Nos. 59, 60, 61,
64.

Resolved, That the Commissioners of Public Buildings, be required to report, annually, the amount of unexpended balances remaining in their hands, and submit final returns to the Legislature, when any work is completed, for which an appropriation is made.

Extract from

AN ACT CONCERNING THE DISTRICT OFFICERS AND THEIR OFFICES.—*Passed* No. 80.
1837, Ch. 18. p. 41.

SEC. 2. That it shall be the duty of the Attorney General, and the Circuit Solicitors, and they are hereby authorized and required, to examine, annually, and at such times as they may deem expedient, into the condition of the **offices above named*, of the several Districts, in their respective Circuits, and to ascertain if the said several officers respectively, shall have discharged all the duties, and performed all the services which now are, or shall hereafter, be required of them, respectively, by law, and to make a report of the condition of said offices and the manner in which the said several officers respectively shall have discharged their duties, to the Courts of Law of the several Districts, respectively, at the Fall Term in each year, and also to the Legislature, at each annual Session.

Attorney General and Solicitors to examine condition of offices.

And Report to Courts in fall.

And to the Legislature.

SEC. 3. That if any one of the said District Officers, shall be reported, as aforesaid, as having wilfully failed, or neglected to discharge any of the duties or to perform any of the services appertaining to his office, which now are, or shall hereafter be, required of him by law, it shall be the duty of the Court, to order a bill of indictment to be preferred against such delinquent Officer.

Court to order indictment against delinquent.

SEC. 4. That the fines to be imposed by virtue of this Act, shall be paid over to the Commissioners of Public Buildings of the respective Districts, in which such failure or neglect shall have occurred.

Fines to go to Commissioners of Public Buildings.

SEC. 5. That as a compensation for the additional duties required of the Attorney General and Circuit Solicitors, by this Act, their salaries shall be increased, each by the sum of two hundred dollars.

Salaries of Attorney and Solicitors increased each \$200. See Act 1828, p. 12.

SEC. 6. That an Act entitled "An Act to provide for the repairing of Court Houses and Jails in this State," passed on the nineteenth day of December in the year of our Lord one thousand eight hundred and twenty-seven, authorizing and requiring the Commissioners of Public Buildings, to keep in repair and superintend the Court Houses and Jails of their respective Districts, be so amended as to authorize and require the said Commissioners, in their respective Districts, also to superintend and keep in repair, the interior of the several offices of the aforesaid District Officers; and to cause to be constructed and placed therein, and kept in repair, suitable fixtures or cases, for the reception and preservation of the Records, Books, and other papers appertaining and

Commissioners to keep in repair interior of offices.

Provide fixtures.

* Clerks, Sheriffs, Ordinaries, Master, Commissioners and Registers in Equity.

belonging to said offices, respectively; and to cause to be erected, and kept in repair, such out buildings and fences, on the Jail and Court House lots, as they may respectively deem necessary, for the use and convenience of the Sheriffs, or Jailors, residing in said Jails respectively, or for the protection of said Jails and Court Houses; and to cause to be made out and completed, such Records and Books, in the several offices named in the first section of this Act, in their respective Districts, as may be directed and ordered by the said Court of Common Pleas and General Sessions, whose duty it shall be, from time to time, to give such directions, and make such orders, as may be necessary for the completion of the Records and Books in said offices respectively.

Out buildings and fences.

Records and Books as Court may order.

COMMISSIONERS TO APPROVE SECURITIES TO BONDS OF PUBLIC OFFICERS.

No. 81. AN ACT CONCERNING THE OFFICE OF SHERIFF.—*Passed 1795. 2 Faust, p 8.*

Appoints Commissioners in each of the Circuit Court Districts then existing,

Commissioners to approve security.

Power to determine

To administer on oath.

Governor to fill vacancy.

“To approve of the securities which may be offered by the Sheriffs hereafter to be elected or appointed; and the said Commissioners, or any three of them, respectively, are hereby vested with full power to judge and determine on the sufficiency of the securities which may be offered by the Sheriffs, respectively; and the better to enable them to discharge that duty, to administer, on oath, to each of the securities who may be offered, that he is worth, over and above his debts, the sum for which he offers himself as security: *Provided, also,* That in case any of the said Commissioners shall depart this State, die, resign, or refuse to serve, the Governor of the State shall fill up the vacancy occasioned thereby, until the next meeting of the Legislature.

AN ACT TO REVISE AND AMEND "AN ACT ENTITLED AN ACT, TO ESTABLISH AN UNIFORM AND MORE CONVENIENT SYSTEM OF JUDICATURE."—1799.

2. *Faust*, p. 262.

Directs, "That the Sheriffs of the Districts aforesaid, shall give security, to be approved of by Commissioners for that purpose, to be appointed by the Legislature, in manner and form as in and by" *the above Act of 1799.*

Commissioners to be appointed by the Legislature.

AN ACT LIMITING THE TERM OF SERVICE OF CERTAIN OFFICERS WHO HAVE HERETOFORE HELD THEIR OFFICES DURING GOOD BEHAVIOUR, AND FOR OTHER PURPOSES, THEREIN MENTIONED.—*Passed 1812. p. 35.*

No. 82.

Directs as to the Attorney General, Solicitors, Tax Collectors, Ordinaries, Clerks, Registers, and Commissioners of the Courts of Equity, that bonds be given;

And that such bonds be taken in the several Districts throughout this State, respectively, by the Commissioners appointed to take bonds and securities from the Sheriffs of the several Districts of said State, and be transmitted by the Commissioners aforesaid, to the Comptroller General, to be by him deposited in the Treasurer's Office of the Upper Division, when they relate to the Upper Division; and when relating to the Lower Division, to be deposited in the Treasurer's Office, in Charleston.

Bonds to be taken by Commissioners.

Transmitted to Comptroller General.

Deposited in Treasurer's office.

AN ACT EXPLANATORY.—*Passed 1814. p. 52.*

Directs, "That the Comptroller General be, and he is hereby authorized, to approve of the security hereafter to be given by the Attorney General and Solicitors, respectively."

Comptroller General to approve securities of Attorney General and Solicitors.

And that every Register and Commissioner in Equity give bond,

Bond of Commissioners in Equity, to be taken by Commissioners as Sheriffs.

“To be taken, and securities approved of, by such Commissioners as are or shall be appointed to approve the securities of the Sheriff of the Circuit Court District, in which the Register and Commissioner aforesaid shall respectively reside.”

See Act directing annual examination of Bonds—1819. p. 42. and Act fixing form of Bonds—1829. p. 21.

CORONERS.

ACTS 1821. p. 23.

No. 83.

AN ACT TO REGULATE THE APPOINTMENT OF CORONERS.

Coroners.
Appointment to be made by joint resolution.

When any vacancy shall happen in the office of Coroner, for any of the Circuit Court Districts of this State, the same shall be filled by a joint resolution of the Senate and House of Representatives, in the same manner as Justices of the Peace and Quorum, are now appointed.

Vacancy in recess to be filled by Governor.

Whenever any vacancy shall occur in the said office, by death, resignation, or otherwise, during the recess of the Legislature, the same shall be filled by the appointment of the Governor and Commander-in-Chief; which appointment shall continue until the end of the next Session of the Legislature, and until a successor shall be appointed.

Bond to be given.

Every Coroner shall, before entering upon the duties of his office, give bond, with sufficient security, to the State of South Carolina, in the sum of two thousand dollars, except the Coroner for Charleston District, who shall give bond in three thousand dollars, for the faithful discharge of the duties of his office, which bond shall be lodged, after being approved of as Sheriff's bonds are, in the Office of the Treasurer of the Upper or Lower Division.

Shall continue four years, and until successor enter.

All Coroners appointed by the Legislature, shall continue in office for four years, and until a successor shall be appointed, and enter upon the duties of his office.

It shall be the duty of the Governor, whenever any person appointed to the office of Coroner, shall have given bond, as herein before directed, to commission such person, according to the provisions of this Act. Commissioned by Governor.

No Coroner shall hereafter act as Jailer, Deputy Sheriff, or hold any appointment under the Sheriff of the District; and in case any Coroner shall accept of any appointment from the Sheriff of his District, his office of Coroner shall be vacated, and the Governor may fill the vacancy upon application; and the appointment so made by the Executive, shall continue in force, until another appointment shall be made by the Legislature. Shall not act as Jailer or Deputy Sheriff. Office vacated upon violation.

The several Coroners shall have power to commit prisoners in their custody, to the common Jails of the several Districts respectively, and all power necessary to carry this provision into effect, is hereby given to the Coroners. Power to commit prisoners to Jail.

See Act 1827. p. 65, authorizing the appointment, by any Judge, of a person to act, in the service of process, as Coroner.

Act 1825. p. 67. to give to the Coroner a room in the Jail, for confinement of his prisoners.

Acts 2. F. pp. 150. 216.; P. L. pp. 8. 3. 59.; 1 Faust, p. 14, allowing Justice of Peace, (if no Coroner within 20 miles,) to take inquest and receive the fees.

ESCHEATORS.

ACTS 1834. p. 15.

No. 84.

AN ACT TO AMEND AN ACT, ENTITLED "AN ACT TO APPOINT ESCHATOES AND TO REGULATE ESCHETS."

The Escheators for the Districts of this State, respectively, shall be hereafter appointed by joint resolution of the Senate and House of Representatives, shall continue in office four years, and until successors be appointed; and shall, Escheators. Appointed by joint resolution. Continue four years

Give bond.

severally, give a bond, with three good and sufficient sureties, in the penal sum of two thousand dollars, in the form prescribed by the Act, entitled "An Act concerning the Bonds of Public Officers." *Provided*, That nothing in this Act shall impair the right of bodies corporate or politic, to nominate and appoint Escheators, in relation to any estate that has been, or may be ceded to such bodies corporate or politic.

Right of corporate bodies.

See Act 1805. p. 95, authorizing a Corporate Body to appoint an Escheator, in relation to property ceded to such body, by the State; who on giving bond, shall be commissioned, with limited power, and execute his office in proper person, and not by Deputy.

See an Act to appoint Escheators, and regulate Escheats.—Pub. Laws. p. 428.

JUSTICES OF PEACE, &c.

No. 85.

ACT 1799. 2 *Faust*, p. 259.

Every appointment of Justices of the Quorum and of the Peace, hereafter to be made, shall continue for four years, *and from thence, for thirty days after the end of the Session of the Legislature, at, during, or next after the time of which such appointment shall expire.**

Continue four years

*See No. 87.

No. 86.

2 *Faust*, p. 262.

Elected or appointed as heretofore.

Justices of the Quorum, and of the Peace, shall in future be elected or appointed by the Legislature, as heretofore.

ACTS 1819. p. 16.

No. 87.

All Justices of the Quorum and Justices of the Peace, shall take the several oaths of office required by the Constitution, and Laws of this State, before the Clerk of the Court of Sessions and Common Pleas, for the District in which such Justice shall be appointed, *within ninety days after such appointment, and not after.*

Take oath before Clerk.

Each Clerk shall, on or before the first day of November, in each year, record, in his office, a true list of the Justices who shall have so qualified before him, and shall, within the said time, transmit a true copy thereof to the office of Secretary of State, who shall make a record thereof.

Clerk shall transmit roll to Secretary of State.

ACTS 1820. p. 6.

All Justices of the Peace and Quorum, shall be allowed to qualify at any time within ninety days, or previous to the adjournment of the first Court of Common Pleas, to be held in the District for which such appointment is made.

Qualify within 90 days, or before the adjournment of the first Court.

ACTS 1821. p. 21.

No. 88.

There shall not, at any time after the passing of this Act, be appointed to any Parish, or County, or District hereinafter mentioned, any greater number of Justices of the Quorum, or of the Peace, than is hereinafter particularly specified, that is to say :

					Quorum.	Peace.	
St. Philip's and St. Michael's,	-	-	-	-	28	40	Number of Justices for each District or Parish.
St. Andrew's,	-	-	-	-	6	1	
All Saints,	-	-	-	-	10	8	
Christ Church,	-	-	-	-	5	5	

						Quorum.	Peace.
St. Bartholomew's,	-	-	-	-	-	9	16
St. Helena,	-	-	-	-	-	11	8
Horry,	-	-	-	-	-	8	10
* <i>St. George, Dorchester,</i>	-	-	-	-	-	9	8
St. John's Colleton,	-	-	-	-	-	8	7
St. James, Goose Creek,	-	-	-	-	-	7	12
St. John's, Berkley,	-	-	-	-	-	6	8
St. James, Santee,	-	-	-	-	-	6	7
St. Luke's,	-	-	-	-	-	6	9
Marion,	-	-	-	-	-	13	11
St. Peter's	-	-	-	-	-	6	10
St. Stephen's,	-	-	-	-	-	3	3
St. Paul's,	-	-	-	-	-	3	9
Prince George, Winyaw,	-	-	-	-	-	13	15
Williamsburg,	-	-	-	-	-	16	15
Prince William,	-	-	-	-	-	10	6
St. Matthew's,	-	-	-	-	-	8	5
St. Thomas and St. Dennis,	-	-	-	-	-	3	3
Abbeville,	-	-	-	-	-	23	27
Barnwell,	-	-	-	-	-	23	23
Chesterfield,	-	-	-	-	-	5	15
Clarendon,	-	-	-	-	-	10	17
Claremont,	-	-	-	-	-	10	15
Chester,	-	-	-	-	-	14	24
Darlington,	-	-	-	-	-	9	16
Edgefield,	-	-	-	-	-	27	23
* <i>Fairfield,</i>	-	-	-	-	-	12	24
Greenville,	-	-	-	-	-	17	29
Kershaw,	-	-	-	-	-	7	23
Lexington,	-	-	-	-	-	8	16
Lancaster,	-	-	-	-	-	9	18
* <i>Laurens,</i>	-	-	-	-	-	14	31
Marlborough,	-	-	-	-	-	8	13
Newberry,	-	-	-	-	-	12	22
Pendleton,	-	-	-	-	-	23	46
Orange Parish,	-	-	-	-	-	10	15
Richland,	-	-	-	-	-	10	15
Spartanburg,	-	-	-	-	-	17	28

							Quorum.	Peace.
Salem,	-	-	-	-	-	-	8	12
Union,	-	-	-	-	-	-	15	25
York,	-	-	-	-	-	-	14	25

**Altered by Act 1832. p. 50, as follows :*

			Quorum.	Peace.
Laurens,	-	-	5 additional	5 additional.
Fairfield,	-	-	5 "	5 "
St. George, Dorchester,			3 "	3 less.

ACTS—1827. p. 61.

No. 89.

For St. Philip's and St. Michael's, eight Justices of the Quorum shall be appointed by joint ballot of both Branches of the Legislature, who shall continue in office four years, and until a new appointment shall be made by the Legislature, to whom shall be assigned exclusive jurisdiction in all small and mean causes within the same : *Provided*, That six of the said Magistrates shall always be residents in the City of Charleston, and the other two, residents of the other parts of the said Parishes.

Judicial Magistrates for St. Philip's and St. Michael's, by joint resolution, to continue four years.

Jurisdiction.

Six in Charleston, and 2 on Neck.

See also Acts 1836. p. 129.

ACCOUNTS, FEES, &c.

No. 90.

JOINT RESOLUTION—1807. p. 80.

Number of Guard.

Resolved, That in the removal of prisoners from one District to another, where a guard may be necessary, that the number of men ordered for that service, shall not exceed more than three for any number of prisoners not exceeding six, and for every three prisoners above six, an addition of one man as a guard ; for which service, the said guard shall be paid one dollar and fifty cents per day, if acting as horsemen, and one dollar per day, if as infantry, in lieu of all expenses ; and if attended by a Sheriff, or his Deputy, he shall be considered as one of said guard, and not entitled to any other compensation, except the maintenance of the prisoners, which shall not exceed 50 cents per day, and 50 cents per day for horse hire, if conveyed on horse back.

Names of Guard.

Resolved, also, That the Legislature ought not to make provision for the payment of guards, unless the name of every person acting as such, is mentioned in the account preferred against the State.

No. 91.

EXTRACT OF A REPORT, ADOPTED 1816. p. 125.

The Committee of Accounts, beg leave to observe, that from the vague and indefinite manner accounts against this State are usually attested, certified, and rendered in to the Treasurers at Charleston and Columbia, and also to the Committee on Public Accounts, while the House is sitting, they are induced to believe, that many errors may have been committed, and frauds practised upon the public, in consequence thereof ; they, therefore, with deference, submit, whether it would not be proper to enter into the following Resolves, viz :

Accounts.

Charges clearly defined.

See No. 64.

Resolved, That in future, all accounts exhibited against this State, shall have every charge therein clearly defined, and shall be presented on or before the first day of November next ; and also, on or before the first day of November in every succeeding year, to the Treasurers, either at Columbia or at Charleston, whose duty it shall be to audit the same, make their remarks on each, and lay them before the Legislature, on the first day of their meeting thereafter.

Resolved, That in future, all accounts exhibited against this State, shall be certified by such officers only as are known in law, and who directed the respective duties and services to be performed for the public; and said accounts shall also be attested, which attestation shall be subscribed to by the parties making the demands, and to be as follows :

— DISTRICT, } Personally appeared, [the party's name] before me, [the Magistrate's name] who, after being duly sworn upon the Holy Evangelists of Almighty God, (or affirm, as the case may be,) and saith that the above (or within) account of — dollars and — cents, is truly and justly due him from the State of South-Carolina, and that he has never received any part thereon, either by discount or otherwise, directly, or indirectly.

Witness my hand.

A. B.

Sworn before me, this — day of — }
C. D., Justice of the Peace. }

Resolved, That in future, all accounts against this State, that are not delivered in, and authenticated, in the manner prescribed by the above resolutions, shall not be provided for in the tax bill of that year.

Extract from the

APPROPRIATION ACT—October, 1823. p. 28.

No. 92.

SEC. 12. That from and after the passing of this Act, no Magistrate shall receive any fees whatever, in criminal cases, from the State, unless the whole proceedings shall have been returned to the Clerk of the Court; and unless bills of indictment be preferred, or the proceedings stopped at the instance of the State. *Provided*, That nothing herein contained, shall extend to the fees which any Magistrate or Constable may be entitled to, in the trial of any slave or person of color.

Magistrates' fees, in criminal cases, not paid, unless papers returned to Clerk.

Except in trial of slaves.

Extract of the

No. 93.

APPROPRIATION ACT—October, 1827. p. 13.

Clerk, Sheriff, or
Jailer.
No fees, where con-
viction, without oath
of defendant's dis-
charge for inability.

SEC. 7. That after the passing of this Act, no Clerk of the Court, Sheriff or Jailer, shall be entitled to receive any fees from the State, in any criminal case, where the defendant shall be convicted, unless they make oath that such defendant has been discharged, from inability to pay costs.

Account for dieting.
Sheriff or Jailer
must forward com-
mit. and release-
ments.

SEC. 8. That no Sheriff or Jailer shall be entitled to fees for dieting prisoners, unless they forward with their accounts the commitments and releasements of the Magistrates.

For Fee Bills, see Acts 1791. 1. Faust. p. 3; 1827. p. 55.

PRINTING OF RESOLUTIONS CONCERNING GENERAL ELECTIONS.

No. 94.

RESOLUTION—1830. p. 34.

Directs, concerning the Resolutions in relation to General Elections :

With Acts.

1st. That the said Resolutions be printed with the Acts of the Legislature, and attached to the same.

One paper in Char-
leston.

2d. That they be published in one of the Charleston papers, at the usual time of giving notice of the General Elections.

So much as relates
to other Districts.

3d. That in each other District, where a Gazette is published, so much of the said Resolutions as relates to the District in which the Gazette is published, shall be published in the same, the usual length of time before the election; but in no instance shall the publication be in more than one Gazette in each District.

RESOLUTION—1837. p. 57.

Resolved, That Managers of Elections throughout the State be restrained from publishing notice of Elections, in the newspapers, more than twice a week for one month, and on the days of Election.

Not more than twice a week for one month.

RESOLUTION—1838. p. 161.

Resolved, That Managers of Elections for the Parishes of St. Philip and St. Michael, be restrained from publishing notice of Elections, in more than one of the newspapers of the city of Charleston; and that the publication shall be made in conformity with the Resolutions heretofore adopted by this Legislature, for which service the proprietor of said paper shall be paid the sum of fifty dollars.

Only one paper in Charleston.

For \$50.

Resolved, That in each other District, where a Gazette is published, the proprietor thereof shall receive the sum of twelve dollars and fifty cents, for publishing so much of the notice of Elections, as relates to the District in which said Gazette is published.

\$12 50 in other Districts.

PRINTING.

REPORT ADOPTED—1838. p. 145.

No. 95.

The Joint Committee, to whom was referred the report of the Librarian, submitting the proposals made for the public printing, have had the same under consideration, and recommend that the proposals of A. H. & W. F. Pemberton be accepted. That a Reporter be appointed by each House, to prepare an accurate statement of the daily proceedings, which shall be printed and laid on the tables of the Members, on the following day, for which the Printer shall be

Reporter for each House.
Duty.

Salary.

Index to Acts and
Resolutions.

paid (\$25) twenty-five dollars, as heretofore. That the Reporters be paid the sum of (\$150) one hundred and fifty dollars each, for each session, and that the pay of one of them be deducted from the pay of the Printer; and that the additional Reporter required, be otherwise provided for. And that it shall be the duty of the Reporters to make an Alphabetical Index to the Acts and Resolutions of the Legislature, at the close of each session, to be published with the pamphlet edition, by the public Printer.

See Resolution, 1836, p. 129, directing the printing of the Journals, daily.

No. 96.

JOINT RESOLUTION—1826. p. 43.

Clerks
printed.

to have

Certain resolutions
of one House.

Resolved, That the Clerk of the House of Representatives, and the Clerk of the Senate, shall cause to be printed, with the Acts, besides the Reports and Resolutions which have passed both Branches of the Legislature, all such Reports and Resolutions, which have been adopted by either Branch, and do not require the concurrence of the other, as require any enquiry to be made, or duty to be performed, by any Member of the Legislature, or other public officer.

See Appropriation Acts, requiring the Printing of the Acts, Journals of both Houses, Reports and Resolutions agreed to, the Governor's Message, Reports of the President of the Bank, and of the Comptroller General, with the usual accompanying documents.

PENSIONS.

Extracts from

AN ACT TO AUTHORIZE THE TREASURERS TO PAY CERTAIN PERSONS THEREIN No. 97.
MENTIONED, THEIR ANNUITIES, AND REGULATING THE PAYMENT OF ANNUI-
TANTS.—2 *Faust*, 311.

Page 312. That the Treasurers be, and they are hereby authorized and re- Treasurer to draw
quired, to draw orders on the Tax Collectors of the District in which each of the orders on Tax Col-
annuitants, entitled to the public bounty, may reside, in his or her favor, for the lectors.
amount which may be due.

Tax Collector to pay "to the DRAWER only, and not to his or her Agent, Attorney, or Assignee."

Page 313. That the Treasurers shall not draw any order in favor of any annuitant, until he or she shall have produced, or cause to be produced, a certi- Certificate that an-
ficate, signed by one Member of the Legislature and two Magistrates, that the nuitant is alive.
person in whose favor the order is to be drawn, is still living, and stating in what district he or she resides.

AN ACT FOR THE RELIEF OF THE WIDOWS AND ORPHANS OF SUCH PERSONS WHO No. 98.
DIED, OR WERE KILLED, OR WHO HAVE DIED BY DISEASES CONTRACTED IN
THE LATE WAR BETWEEN THE UNITED STATES OF AMERICA AND GREAT
BRITAIN.—1815. p. 35.

A widow shall receive \$30, and every child \$20 per annum: *Provided*, That Widow \$30; child
the pensions shall cease, to the widow, upon her marriage with any other person, \$20.
and to a child, upon its attaining the age of twelve years.

Oath of widow.

Oath of widow to be taken, certified by the two Justices, and the commanding officer of the detachment in which the deceased served; whereupon, the widow and children shall be placed on the pension roll.

In actual service of United States.

The widows and children of those called into the service of the United States, to be entitled to the benefit of the Act, unless an adequate provision for them be made by the United States; if the provision made by the United States should be less than this, then the difference shall be paid to such widows and children, out of the Treasury of this State.

No. 99. AN ACT TO INCREASE THE PENSIONS OF CERTAIN PERSONS WITHIN THIS STATE.—1816. p. 30.

Whereas, the Pensioners of the Revolutionary War, now living, who, from their advanced age, have become unable to work, and have no means whereby to maintain themselves, shall be entitled to the following increase of annuity, upon the conditions herein set forth:

Revolutionary Pensioner.

Be it enacted, That from and after the passing of this Act, each Pensioner of the Revolutionary War, who shall produce from under the hands and seals of three Justices of the Quorum, or of the Peace, and one Member of the Legislature of the District wherein such Pensioner may reside, that said Pensioner is of good character, and in their opinion entitled to an increase of annuity, shall be entitled to receive, annually, the sum of sixty dollars; any law, usage, or custom, to the contrary notwithstanding.

Three Justices and one Member.

Good character.

No. 60.

See Nos. 100, 102.

No. 100.

JOINT RESOLUTION—1826. p. 59.

Term of application

Resolved, That after the adjournment of the Legislature, no application for a Pension shall be granted, unless the applicant swears to the facts set forth in

his or her petition, and shall produce the affidavit of one or more respectable persons, that the petitioner was a faithful soldier of the Revolutionary War; and the person or persons qualifying them, shall certify as to their credibility; and the petitioner shall render in a schedule of his or her property, on oath, and shall annex the same to his or her petition.

EXTRACT FROM A JOINT RESOLUTION--1833. p. 11.

No. 101.

Recommending that no person receiving a pension from the United States Government, shall receive a pension from this State; and it shall be the duty of the Treasurers of this State, not to pay, or issue any draft upon the Tax Collectors, until each male pensioner of the Revolutionary War swear, he or they are not on the pension roll of the United States; and that no person receive a pension from this State, from and after the first day of March next, in advance, except widows and orphans of wounded soldiers, agreeable to the law of the State, now in force; also, the wives and widows of Revolutionary soldiers and officers, at the time of and during the Revolutionary War.

Resolved, That no person receive a pension from this State, but the above recognized persons.

Applicants recommended to present their claims to United States, and all Revolutionary officers and soldiers to be stricken from the roll of this State, after 1st March, ensuing.

ACT 1834. Ch. 10. p. 18.

No. 102.

1. All Revolutionary pensioners to be stricken from the pension roll of the State, after 1st March, 1836.

2. All pensioners of United States to be stricken from roll.

3. Every one who served in this State, during the Revolutionary War, for less than six months, to receive a pension proportionate to his rank.

Widows of Revolutionary soldiers.

SEC. 4. That the widows of those commissioned, non-commissioned officers and privates, who served in this State during the Revolutionary War, who were married at any time during the service of such commissioned, non-commissioned officer or private, shall be entitled to receive, out of the public treasury of this State, the sum of thirty dollars per annum : *Provided*, That such pensions, to every such widow, shall cease, upon her marriage with any other person ; and that no such widow, who has contracted marriage since the death of such commissioned, non-commissioned officer or private, be entitled to receive such pension.

Marriage.

Petition.

Facts requisite.

5. Applications to be made "by petition to the Legislature," and to shew that the petitioner has made application to the United States, and the result of it, or "to shew sufficient cause for not making such application, together with such facts as are requisite to entitle said petitioner to receive the benefit of this Act."

6. The Resolution of 1833, suspended until 1st March, 1836, (except as to those who receive pensions from the United States) nothing in the Act to be repugnant to the Act of 1815, in favor of widows and orphans.

7. Notice to be given through the Sheriffs, to all the pensioners, that they will be stricken off, 1st March, 1836.

No. 103.

ACT 1835. Ch. 16. p. 44.

SEC. 1. Suspends the 1st section of Act of 1834, until 1st March, 1837, when all the Revolutionary Pensioners to be stricken from the roll.

SEC. 2. Requires notice to be given.

Comptroller General to make annual report of pensioners

SEC. 3. That it shall be the duty of the Comptroller General to make an annual report to this House, of the names of the pensioners of this State,

ACT OF 1836. Ch. 62. p. 62.

No. 104.

Repeals the first section of the above Act of 1834, and the 1st section of the above Act of 1835, and directs that the names of all the Revolutionary Pensioners struck off, or that would have been struck off under the above Acts—
 “Be restored to, and continued on the said pension roll, except the names of such persons as have been placed, and are now on the pension roll of the United States of America.”

Names restored, except U.S. pensioners

FREE SCHOOLS.

Extracts from

“AN ACT TO ESTABLISH FREE SCHOOLS THROUGHOUT THE STATE.—Passed 1811. (*Pamphlet, p. 27.*) No. 105.

Be it enacted, &c. That immediately after the passing of this Act, there shall be established in each Election District within this State, a number of Free Schools, equal to the number of Members which such District is entitled to send to the House of Representatives, in the Legislature of this State.

Number of Free Schools equal to Members.

That for the support and maintenance of the said Free Schools, the sum of three hundred dollars per annum, for each School, is hereby and forever appropriated, to be paid out of the Treasury of this State, in the manner hereinafter directed, until other sufficient funds may by law be provided.

\$300 for each School

That for the purpose of carrying this Act into effect, there shall be appointed a number of Commissioners, in each Election District, which number shall not be less than three, nor more than thirteen.

Commissioners, not less than 3, nor more than 13.

That the said Commissioners shall be appointed by the Legislature, by nomination, and shall continue in office three years from the time of their appointment, and until a new appointment shall be made.

Nominated by Legislature, for three years.

Secretary to keep
Journal:

That the Secretary of each Board of Commissioners shall keep a regular journal of the transactions of said Board, which shall be always open to the inspection of the Legislature.

Open to Legislature

Return to Legisla-
ture.

That every Board of Commissioners throughout the State, shall, at their quarterly meeting, on the fourth Monday of October, in each year, make a regular return to the Legislature, or to any person whom the Legislature may appoint, of the number of months, during the year preceding their said meeting, which each School in their respective Districts, has been open for the reception of scholars; of the number of scholars that, during each quarter, attended the respective Schools; of the sums drawn for, on account of each School, with the date of the drafts; and may transmit any observations of the Schools, which may appear to them necessary or important.

Number for each
District.

That the number of Commissioners of Free Schools, in each Election District, throughout the State, shall be as follows:

For St. Philip's and St. Michael's,	13	For St. Andrew's,	3
" St. John's, Colleton,	5	" St. Peter's,	5
" Prince William's,	5	" St. Stephen's,	3
" Winyaw,	9	" Liberty,	5
" All Saints,	3	" St. James', Santee,	5
" St. James', Goose Creek,	3	" St. John's, Berkley,	7
" St. Paul's,	5	" St. George, Dorchester,	3
" Williamsburgh,	5	" St. Bartholomew's,	9
" Kingston,	3	" St. Thomas & St. Dennis,	3
" St. Helena,	5	" Christ Church,	3
" St. Luke's,	5	" Abbeville,	11
" Barnwell,	7	" Chester,	7
" Clarendon,	5	" Claremont,	7
" Chesterfield,	3	" Darlington,	5
" Edgefield,	13	" Fairfield,	9
" Greenville,	9	" Kershaw,	5
" * Saxegotha,	5	" Lancaster,	5
" Lewisburg,	3	" Laurens,	9
" Marlborough,	5	" Newberry,	9
" Orange,	5	" Pendleton,	13
" Richland,	5	" Spartanburgh,	9
" Union,	7	" York,	7

* Increased to 12, by Act 1836, p. 83.

Extract of

AN ACT TO RAISE SUPPLIES FOR 1823. p. 5. Sec. 8.

No. 106.

That the Comptroller General shall not hereafter be required to draw any warrant on either of the Treasurers of this State, in favor of any free School, but that the said Treasurers, respectively, shall have full power and authority to pay off and discharge, any order that may hereafter be drawn upon them, by any set of Commissioners of Free Schools within his Division, without any warrant from the Comptroller General, for that purpose: *Provided*, The Commissioners drawing such order, specify in their said order, the name and number of the School, and the name of the Teacher; and in no case shall the said Commissioners draw for more than is actually due, or less than one quarter's salary except upon final settlement.

No warrant from Comptroller necessary.

Treasurer to pay draft of Commissioners.

What it shall specify.

That the Treasurers shall in no case pay off or discharge any order which shall or may be drawn upon either of them, by any set of Commissioners for Free Schools, within this State, unless the said Commissioners shall have made a satisfactory return to the Legislature, as required by law.

Treasurer shall not pay, unless Commissioners have made return.

That if any Board of Commissioners of Free Schools shall neglect, unless upon good and sufficient excuse, to make a return to the Legislature, as now required by law, then and in that case, each and every Member of the Board, so defaulting, shall, upon conviction, by indictment, pay a fine of fifty dollars; and may be removed from office by joint resolution of the Legislature; and the report of the Joint Committee of both Houses, on Education, shall be deemed and taken as conclusive evidence of their failure to make return, unless the contrary shall be shewn by the said Commissioners.

For neglect of return, Commissioners liable to indictment and removal.

That it shall be the duty of the Comptroller General to direct the Solicitor of the Circuit in which such Commissioners reside, to bring suit in any Court having competent jurisdiction, for the recovery of all sums drawn by any Board of Commissioners of Free Schools, on account of the Free School Fund, and which they shall not have accounted for by a regular return; and the said Commissioners, and each and every of them, are hereby declared liable for the re-payment of the same.

Comptroller to direct Solicitors to sue for money not accounted for.

No. 107.

EXTRACT FROM RESOLUTION—1828. p. 37.

Comptroller shall
keep account with
each Board, and re-
port to Legislature.

Resolved, That it shall be the duty of the Comptroller General to keep regular accounts with the Commissioners of Free Schools of each District and Parish in this State, and to report the state of such account to the Legislature, at the commencement of each regular session.

Blank notices.

Resolved, That the Comptroller General do hereafter deliver the requisite blank returns, to the Senators of each District and Parish, and to one or more of the Representatives of each District, to be by them delivered to the Commissioners.

See No. 109.

No. 108.

JOINT RESOLUTION—1829. p. 43.

Commissioners may
apply for unexpended
balances.

Resolved, That the different Commissioners of Free Schools throughout the State, whenever unexpended balances, formerly standing to their credit, have been withdrawn, be, and they are hereby authorized and requested, if they should be able to expend said sums advantageously, to apply for the sum, or such part thereof, as they may think desirable, at the next Session of the Legislature; and that they state in such application, the use they may propose to make of the money, if granted to them.

No. 109.

JOINT RESOLUTION—1834. p. 44.

Treasurer to distribute
blank return, with Acts.

Resolved, That the Treasurer of the Upper Division of the State, be, and he is hereby authorized and required, to have printed in proper form, 500 blank Returns, for the use of the several Boards of Commissioners of Free Schools in this State, in order that said Commissioners may make their returns in regular form to the Legislature; and that he cause the same to be equally distributed

to each of said Boards of Commissioners, by sending them to the Clerks of the Courts of each District, at the time the Acts of the Legislature are sent.

See Act 1835. p. 14, concerning the Free Schools.

TRUSTEES OF THE SOUTH CAROLINA COLLEGE.

AN ACT TO ALTER AND AMEND AN ACT, ENTITLED "AN ACT TO ESTABLISH
A COLLEGE AT COLUMBIA."—1825. *Ch. 12. p. 51.* No. 110.

SEC. 1. *Be it enacted, &c.* That from and after the passing of this Act, ^{Trustees} the Board of Trustees of the South Carolina College, shall consist of the Governor and Lieutenant Governor of the State, the President of the Senate, the Speaker of the House of Representatives, the Judges of the Court of Appeals, the Circuit Judges of the Court of Law, and the Chancellors, *ex officio*, ^{*Ex officio*, and 20 others, to be elected by joint ballot, for four years.} together with twenty other persons, to be elected by joint ballot of the Senate and House of Representatives, to continue in office four years, and until others shall be elected.

SEC. 2. That from and after the passing of this Act, nine Members shall ^{Nine a quorum.} constitute a Quorum of the Board of Trustees, sufficient for the transaction of any business relative to the said College: except it be the appointment of an officer in the same, which shall be done only at the annual meeting, and when a majority of said Board are present.

Act 1811, p. 80, directs that the *stated* meeting of the Board of Trustees, shall be held on the Wednesday next after the fourth Monday in November, in each year; that no vacancy in the Offices of the College, shall be filled, unless at the stated meeting: *Provided*, That at an *occasional* meeting, the vacancy may be filled until the *stated* meeting, and no longer.

Act 1801. 2 Faust, p. 406, gives to the President of the said College, and four of the Trustees, power to call *occasional* meetings of the Board, whenever it shall appear to them necessary.

No. 111.

JOINT RESOLUTION—1835. p. 53.

Report Tuition
Fund.

Resolved, That the Board of Trustees of the South Carolina College, do report annually to the Legislature, the amount received for tuition, and how expended.

No. 112.

JOINT RESOLUTION—1838. p. 128.

Resolved, That the sum of two thousand dollars, together with the surplus of the Tuition Fund, be annually appropriated for the increase of the College Library: the same to be drawn and expended under the authority and direction of the Board of Trustees.

No. 113. **TRUSTEES OF THE ESTATE OF DR. JOHN DE
LA HOWE, IN ABBEVILLE DISTRICT.**

The Testator devised his Estate for the endowment of a Farm School, to the Agricultural Society of South Carolina, or if the Society should decline, to such persons as the Legislature would be pleased to appoint.

ACT 1805. p. 87.

Resignation of the Agricultural Society, accepted.



ACT 1829. p. 34.

Board of five Trustees to be appointed by joint resolution of both Branches of the Legislature, every four years: any vacancy to be filled by the Abbeville Delegation until the next Session of the Legislature, and then another appointment for filling it, to be made by joint resolution, to continue until a new Board shall be appointed.

Five Trustees to be appointed.

SEC. 7. That it shall be the duty of the Treasurer, to make annual return on oath, of the receipts and expenditures of the said Estate, to the Ordinary of Abbeville District, which, before it is presented to the Ordinary, shall be inspected and approved by the Board; a copy of which return, it shall be the duty of the Ordinary, to transmit to the succeeding Legislature; and it shall moreover be the duty of the Board, to cause to be kept a regular record of all their proceedings, and annually to transmit to the Legislature, a faithful transcript from the said record, for the year preceding, accompanied by a copy of the last return, made by them to the Ordinary, and by an exhibit, shewing the precise situation of the Estate, on the first Monday in February, and the first Monday in November, next preceding.

Return to Ordinary, and report to Legislature.

RESOLUTION—1833. p. 33.

No. 114.

Ordered, That in their future returns, the Trustees be required to set forth particularly, all their operations during the last year, so as to shew fully, the state of the School, and of the funds.

Return to shew the state of the School, and of the Funds.

LUDLAM SCHOOL FUND.

Extract from

No. 115. "AN ACT CONCERNING THE LUDLAM SCHOOL FUND, AND FOR OTHER PURPOSES THEREIN MENTIONED."—1827. *Ch. 23. p. 71.*

Report to Legislature.

SEC. 5. That the annual interest arising from the monies vested as aforesaid, [in the Stock of some one of the Banks of the City of Charleston,] shall be appropriated, under the direction of the said Vestry, [of the Parish of St. James, Goose Creek,] to the Instruction and Education of the Poor Children of the said Parish, upon the principles and conditions of the Free School system of this State: and it shall be the duty of the said Vestry, to report to the Legislature, annually, the state of the fund, what interest it yields, and in what manner the same shall have been expended, together with the number of poor children educated thereon.

<i>See Resolution,</i>	1825.	<i>pp.</i>	102.	114.
"	"	1826.	<i>p.</i>	43.
"	"	1833.	<i>p.</i>	13.
"	"	1834.	<i>p.</i>	10.

No. 116.

RESOLUTION ADOPTED IN REPORT—1830. p. 33.

Form of report.

Resolved, That the Vestry of St. James, Goose Creek, do report annually, to both Branches of the Legislature, the state of the Ludlam Fund, exhibiting distinctly the principal and interest constituting the same, and shewing, by an account current, the amounts and dates of all receipts and disbursements, together with the number and names of the poor children educated.

CHARLESTON INSURANCE AND TRUST COMPANY.

Extract from the

ACT TO INCORPORATE THE CHARLESTON INSURANCE AND TRUST COMPANY.
1836. *Ch. 5. p. 29.*

No. 117.

SEC. 14. The books of the said Company, shall be examined from time to time, by such person or persons, as the Legislature may for that purpose appoint; and the person so appointed, shall have full power to examine, upon oath, to compel the attendance of witnesses, and the production of papers, and inquire into the management of the Company: and in case of mismanagement, or violation of their Charter, the said Company may be proceeded against by *scire facias*, in the Courts of Common Pleas and General Sessions, for Charleston District, and upon conviction, shall be liable to lose their Charter, annulled by the judgment of the Court.

Books to be examined by persons appointed by the Legislature.

Charter revoked on scire facias.

THE UNION INSURANCE AND TRUST COMPANY, OF SOUTH CAROLINA.

Extract from the

ACT TO INCORPORATE THE UNION INSURANCE AND TRUST COMPANY, OF
SOUTH CAROLINA.—1828. *Ch. 26. p. 64.*

No. 118.

SEC. 12. The President and Directors of the said Company, shall, whenever required by the Legislature, lay before them a statement of the affairs of the Company, and submit themselves, and the books of the Company, to such an examination as the Legislature may require.

Render statement to Legislature.

ADJUTANT GENERAL.

Extract from

No. 119. AN ACT TO PROVIDE FOR THE MILITARY ORGANIZATION OF THIS STATE.—
1833. p. 13.

Adjutant General. SEC. 2. There shall be one Adjutant and Inspector General, with the rank of Brigadier General. * * * The Adjutant and Inspector General to be elected by joint ballot, by both branches of the Legislature, to continue in office for four years from the date of his commission. * * * And the Adjutant and Inspector General shall receive an annual salary of fifteen hundred dollars.

One elected by joint ballot, for 4 years.

Salary.

Extracts from

AN ACT FURTHER TO PROVIDE FOR THE MILITARY ORGANIZATION OF THIS
STATE.—1836. p. 36.

Military Bureau. SEC. 6. *The Adjutant General* shall keep a Military Bureau, and shall keep a record of the number and rank of each Division, Brigade, and Regiment, in the State—procure a record, annually, of a return of the strength, arms, and equipments of the Militia, the names, rank, and date of the commissions of all the General, Staff and Field Officers—record all military orders received or issued by him, and generally, all matters which relate to the Militia, and which, in his opinion, may be necessary to enable him to exhibit the true strength, character, and condition of the Military force and power of the State.

Inspect Arsenals and Magazines, report to Governor, to be submitted to the Legislature. SEC. 7. He shall, once a year, visit and inspect the Arsenals and Magazines in the State, and report to the Commander-in-Chief, to be by him submitted to the Legislature, and record in his office, their condition, the number and condition of the arms, equipments and public stores in each—the number and descrip-

tion of public arms and equipments, distributed to the Militia, each year, and the disposition and conditions of such distribution—the strength of the guards at each—the duties performed by them—their general condition and efficiency to discharge the duties required of them: and to enable him to perform this duty, the Quarter Master General, and other officers, having charge of these Departments, shall, when required, make to him full reports of the different matters committed to their charge.

Quarter Master and others to report to him.

SEC. 8. It shall further be the duty of the Adjutant General, and he is hereby required, to deposite in the Executive office, at Columbia, in a Bureau kept for the purpose, a true record of all matters relating to his office, as is herein before enjoined.

Record in office at Columbia.

JOINT RESOLUTION—1836. p. 149.

No. 120.

Resolved, That the Governor be authorized, out of the Contingent Fund, to furnish the apartment in the State House, lately occupied by the Branch Bank, and use it as an Executive office.

Executive office.

STATUTES AT LARGE.

JOINT RESOLUTION—1834. p. 14.

No. 121.

The Committee on the Judiciary, to which was referred the resolution to inquire into the expediency of procuring to be compiled and published, the Statute Laws of this State, now of force, with a digested index thereto, and also that part of the Governor's Message on the same subject, having had the same under consideration, respectfully recommend the adoption of the following resolution, to wit:

Governor to employ a fit person, and communicate at each session progress and proper compensation.

Resolved, That His Excellency the Governor, be authorized and requested to employ some fit and competent person to compile, under his direction, the Statute Laws of this State, with a digested index thereto; that he be requested to communicate, at the next session of the Legislature, the progress of this work, and the compensation he may deem just and equitable, should be paid to the person thus employed; and that the Governor be further authorized to pay, from time to time, such sum or sums, as upon inspection of the work, he may deem equivalent to the labor actually bestowed on the same, by the person thus employed.

JOINT RESOLUTION—1835. p. 54.

Commissioners to advise and consult.

Resolved, That James Gregg, William F. DeSaussure, and D. J. M'Cord, be appointed Commissioners to advise and consult with Dr. Thomas Cooper, in superintending the publication of the Digest of the Statutes of South-Carolina.

See Resolutions 1836, p. 118; 1838, pp. 88, 125; and *Appropriation Acts* 1836, and since.

ANNUAL APPROPRIATIONS, WITH REFERENCE TO THE ORDERS FOR TAKING THEM.

No. 122.

Salary of Governor, \$3,500; Acts 1828, p. 12.

“ Private Secretary of Governor, \$500; Appropriation Acts 1832, and since.*

* See Act 1828, p. 12. “ Messenger, \$250; Appropriation Acts 1832, and since.*

Rent of House, \$300; Appropriation Acts 1832, and since. See Act 1828, p. 12.

Daily pay of Members, 1807, p. 56.

“ Solicitors, 1799, 2 Faust, p. 270.

Salaries of Clerks of Senate and House of Representatives, \$1,000 each; 1828, p. 12.

“ Messengers and Door Keepers, \$200 each; 1828, p. 12.

“ Reading Clerks, \$150 each; 1828, p. 12.

“ Keeper of State House and Librarian, \$700; Res. 1833, p. 13, and Res. 1836, p. 118.

Pay of Printers, 1838, p. 145.

“ Reporter of Legislative Proceedings, \$150.

Increase of Legislative Library, \$500; 1814, p. 55.

Salaries of 3 Judges, \$3,500 each; 1817, p. 41.

“ 7 Judges, \$3,000 each; 1835, p. 14.

Salary of Attorney General, \$1,100; Acts 1828, p. 12; 1837, p. 42.

Salaries of Solicitors, \$900; Acts 1828, p. 22; 1837, p. 42.

“ Clerks of Courts of Appeals, in Charleston and Columbia, \$600 each; Appropriation Acts 1831, and since; \$300, 1828, 1830.

“ Messengers of the Court of Appeals, in Charleston and Columbia, \$250 each; Appropriation Acts 1831, and since.

Salary of Librarian of Court of Appeals, in Charleston, \$200; 1838, pp. 14, 9.

Salary of Librarian of Court of Appeals, in Columbia, \$200; Appropriation Act, 1838, p. 9.

Annual increase of Library of Court of Appeals, in Charleston, \$200; Act 1838, p. 14.

Firewood and Fuel for Court of Appeals, in Charleston, \$50; Appropriation Acts 1837, and since.

“ “ for Court of Appeals, in Columbia, \$50; Appropriation Acts 1837, and since.

Salary of State Reporter, \$1,500; Appropriation Acts 1832, and since. See 1823, p. 29, and Appropriation Acts 1823, 1831.

Daily pay of Jurors, 1836, p. 63.*

“ Constables, 1838, p. 47.*

Salary of Comptroller General, \$2,000; Appropriation Acts 1835, and since. See 1828, p. 13; 1834, p. 50.

“ Clerk of Comptroller General, \$750; Act 1828, p. 12.

“ Treasurer of Lower Division, \$2,000; Act 1828, p. 12.

“ Treasurer of Upper Division, \$1,600; Act 1828, p. 12.

* See Acts 1816, p. 10; 1824, p. 25.

Salary of Assessor for St. Philip's and St. Michael's, \$800; Appropriation 1824, and since; 1823, p. 26, abolished.

“ President of the South-Carolina College, \$3,000; Appropriation Acts 1819, and since.

Salaries of Professors of South-Carolina College, \$2,500; Resolution 1836, p. 128; Appropriation Acts 1836, and since; \$2,000, Appropriation 1818, 1835.

Salary of Treasurer of the South-Carolina College, \$600; Appropriation Acts 1836, and since; \$500, 1835.

“ of Librarian, \$600; Appropriation Acts 1835, and since.

“ of Secretary of Board of Trustees, \$200, “ “

“ of Marshall, \$400, “ “

Expenses of Students from Orphan House, \$400 each; Appropriation. Acts 1837, and since; \$260, 1819, 1836. See Act 1811, p. 41.

Annual increase of Library, \$2,000; Resolution 1838, p. 128.

Insuring Buildings, \$800; Appropriation 1838; \$500, 1828, 1837. See Resolution 1835, p. 50.

Support of Free Schools, \$37,200; 1811, p. 28.

Salary of Superintendent of Public Works, \$3,000; Resolution 1837, p. 55, Appropriation 1837, and since; \$1,500, 1836; \$1,200, 1831, 1835; \$1,500, 1830; \$2,200, 1828, 1829; \$3,500, 1822, 1827. See Act 1822, p. 19, and Sup. of Pub. Build. 1822, p. 49.

Education of Deaf and Dumb, \$2,500; 1834, p. 59.

Salary of Adjutant General, \$2,500; Appropriation 1836 and since; \$1,500, 1828, p. 12; 1833, p. 13. See 1836, p. 36.

“ Quarter Master General, \$500; Appropriation, 1835, p. 22.

“ Arsenal Keeper, in Charleston, \$1,000; “ 1836, p. 37.

“ “ Columbia, \$400; “ 1833, p. 39.

“ Physician of Jail and Magazine Guard, Charleston, \$500; 1820, p. 38.

Arsenal and Magazine Guard, Charleston. See Acts 1832, p. 43, 1822, p. 9; \$19,000, 1837-8; \$17,500, 1836; \$16,500, 1835; 1832, p. 4, included in general appropriation for military purposes; deficiency supplied, 1837, p. 9; 1838, p. 11.

Arsenal and Magazine, Columbia. See Acts 1833, p. 39; \$10,000, 1837-8; \$9,137, 1836; arrearages supplied, 1837, p. 9. See 1833, p. 10; 1838, p. 127.

Port Physician, Charleston, \$800; 1828, p. 14.

Execution of Quarantine Laws of Charleston, \$1,000; Appropriation Acts 1829, and since. See 1832, p. 54.

Support of the Transient Poor in Charleston, \$4,500; Appropriation Acts 1829, and since.

Support of the Transient Poor of Georgetown, \$400; Appropriation Acts 1829, and since.

Pilot of Georgetown, \$320; 1828, p. 13.

Superintendent of Fire Proof Building in Charleston, \$100; Appropriation 1833, and since. See 1828, p. 11; 1826, p. 13; Resolution 1822, p. 102; 1827, p. 44; 1837, p. 54.

Ferry over Elliott's Cut, \$200, Appropriation 1837-8; \$100, 1833, 1835; \$150, 1832.

Salary of Compiler of Statutes at Large, \$2,500; Appropriation 1835, and since. *

Salary of Clerks to do. \$500; Appropriation 1835, and since. *

* See Resolutions 1834, p. 14; 1835, p. 45.

INDEX

TO THE

ACTS AND RESOLUTIONS.

Reference is made both to the number and pages of this compilation.

A.

	Number.	Page:
<i>Absent Members</i> - - - - -	9	51
<i>Accounts, contingent</i> - - - - -	90-94	112-115
“ to be returned and examined -	64, 61, 53, 91	94, 91, 85, 112
<i>Act as distinguished from Resolution</i> -	15-16	56-7
“ appropriations made, debts discharged, rights of		
State conveyed, must be by - -	16	57
<i>Acts, printing and distribution of</i> - -	10-12	53, 54
“ Index to - - - - -	95	116
<i>Adjutant General</i> - - - - -	119	131
<i>Appointment by House: Reporter</i> - -	95	115
<i>Appointments by joint resolution</i>		
“ Commissioners of Public Buildings	77	101
“ “ to approve securities,	81	104
“ “ of Free Schools -	105	121
“ Justices of the Peace and Quorum	85	108
“ Judicial Magistrates of St. Philip's and		
St. Michael's, - - -	89	111

	Number.	Page.
<i>Appointments by joint resolution</i>		
“ Coroners - - - -	83	106
“ Escheators - - - -	84	107
“ Printers - - - -	95	115
“ Trustees of the Estate of Dr. DeLaHowe	113	126
<i>Appropriations, by Act, - - - -</i>	16	56
“ account with each to be kept by Trea- surer - - - -	54	87
“ account with each to be kept by Comp- troller General - - - -	64	93
“ annual, with reference to orders for making them - - - -	122	132
<i>Assessor - - - -</i>	73	99
<i>Attorney General and Solicitors :</i>		
“ “ “ to be elected -	74	99
“ “ “ bonds to be approved by Comptroller General	82	105
“ “ “ leaving the State	72	98
“ “ “ to sue defaulting Tax Collectors -	54	87
“ “ “ to inquire as to rep'ts of Commissioners of Roads and Poor, and sue	55	87
“ “ “ certify fines to Comp- troller General, and sue, defaulting Clerk	57	89
“ “ “ to report to Comp- troller General debts due to State -	54	86
“ “ “ to examine District Offices, and report	80	103
“ “ “ salaries increased	80	103
B.		
<i>Balance Sheets - - - -</i>	61, 64	92, 93
<i>Bank of Charleston, bonus - - - -</i>	40	77
<i>Bank of the State of South Carolina - - - -</i>	44-52	80, 84
<i>And the following under other heads :</i>		
“ to pay instalments on the Subscription to the Louisville, Cincinnati and Charleston Rail Road - - - -	34	74

	Number.	Page.
<i>Bank of the State of South Carolina</i>		
“ to pay instalments on the Subscription to the South Western Rail Road Bank, &c.	40	76
“ dividends of the State's Stock to remain in it at interest - - -	40	76
“ surplus revenue in it, how employed, &c.	42	78
“ to receive bonus of Bank of Charleston.	40	77
“ money borrowed for the re-building of Charleston, to be deposited in it, and become capital - - -	43	79
“ to provide for interest and re-payment of principal—Charleston Loan -	43	79
“ to report on this fund - - -	43	79
“ its profits pledged, (after redemption of other pledges,) for Charleston -	43	79
<i>Banks</i> , other, measures for keeping their bills at par, to be taken by the Bank of the State of South Carolina - - -	52	84
<i>Bonds</i> of Public Officers - - -	75, 82	100, 105
“ of Coroners - - -	83	106
“ of Escheators - - -	84	108
“ of South Carolina Canal and Rail Road Company	25	65
<i>Bridges</i> - - -	22	61
<i>Business</i> unfinished - - -	2, 3	45, 46

C.

<i>Cashier</i> of House - - -	9	52
<i>Charleston</i> , loan for re-building - - -	43	79
<i>Charleston Insurance and Trust Company</i> , -	117	129
<i>Charters</i> and Acts of Incorporation: notice -	1	45
“ for Roads, Bridges and Ferries -	22	61
“ for Turnpikes - - -	22, 23	61, 63
“ South Carolina Canal & Rail Road Company	24	65
“ Louisville, Cincinnati and Charleston Rail Road - - -	29, 31, 32	68, 70, 72
“ South Western Rail Road Bank -	31	70
“ other Rail Road Companies -	27	67

	Number,	Page.
<i>Clerk of House</i> : Fees - - -	14	56
“ to put papers in order -	19	58
“ to have certain resolutions printed	96	116
<i>Clerk, Reading</i> - - -	4	47
<i>Clerk of District</i> , to sell copies of the Acts -	11	54
“ to receive and return reports of Commissioners of Roads and Poor	55, 56	87, 88
“ to return account of fines to Comptroller General -	57	89
“ how elected - - -	74	99
“ bond - - -	82	105
“ office to be examined -	80	103
“ to send roll of Justices to Secretary of State - -	87	109
“ fees on conviction - -	93	114
<i>College, South Carolina</i> - - -	110-112	125-126
<i>Commissioner of Locations</i> - - -	74	100
“ special to Kentucky - -	41	78
<i>Commissioners in Equity</i> - - -	74, 80, 82, 76	100, 103, 105, 101
“ of Roads - - -	21, 55, 56	60, 87, 88
“ of the Poor - - -	55, 56	87, 88
“ of Public Buildings, how appointed	77	101
“ “ “ duties	77, 80	101, 103
“ “ “ to render amount to Comptroller General -	54, 59, 60, 61	86, 90, 91, 92
“ “ “ in Charleston, (besides above) - - -	70	97
“ to approve securities - -	81, 82	104, 105
“ of Free Schools - - -	105-109	121, 124
“ to represent the stock of the State in the Louisville, Cincinnati and Charleston Rail Road Company - -	36, 37, 38	74, 75, 75
“ to represent the stock of the State in the South Western Rail Road Bank -	40	77
“ for surveying the Louisville, Cincinnati and Charleston Rail Road - -	35	74
“ of Columbia - - -	59, 60, 61	90, 91, 91

	Number.	Page.
<i>Commissioners</i> to advise and consult with Dr. Cooper	121	132
<i>Committee</i> to inspect Bank - - -	47	82
“ to nominate Bank Directors - -	50	83
<i>Compensation</i> of Members - - -	15	56
<i>Comptroller General</i>	53-64	85-93
<i>And the following under other heads :</i>		
“ “ duty in relation to the loan to the South-Carolina Canal and Rail Road Company -	25	65
“ “ “ to the subscription to Louisville, Cincinnati and Charleston Rail Road -	33, 34	73, 74
“ “ “ to the subscription to South-Western Rail Road Bank -	40	76
“ “ “ to the surplus revenue -	42	78
“ “ “ to the loan for re-building of Charleston - -	43	79
“ “ to settle accounts of Commissioners for surveying Louisville, Cincinnati and Charleston Rail Road - -	35	74
“ “ to inspect accounts of Bank, examine fully, and report -	44, 45, 46, 47	80, 81, 82, 82
“ “ not to be an Officer or Director of any Bank - - -	45	81
“ “ not re-eligible after four years	74	100
“ “ to send blank bonds with Acts	75	100
“ “ to deposite official bonds in Treasurer's office - - -	82	105
“ “ to approve securities of Attorney General and Solicitors - -	82	105
“ “ to make annual report of Pensioners	103	120
“ “ to receive report from Regents of Lunatic Asylum - -	68	96
“ “ his warrant not necessary on a Free School draft . - -	106	123
“ “ to direct Solicitors to sue defaulting Commissioners of Free Schools	106	123

	Number.	Page.
<i>Comptroller General</i> to keep an account with each Board of Commissioners of Free Schools, and report the state of it to the Legislature	107	124
<i>Constitutional</i> questions - - - -	2, 6	45, 48
<i>Coroners</i> , appointment, duties, &c. - -	83	106
" balances to be collected from defaulting	63	93
<i>Court Houses</i> and Jails - - -	77, 80	101, 103
D.		
<i>Debts</i> to State, how discharged - - -	16	57
" " to be reported and collected 59, 60, 61, 64, 79, 106		90, 91, 91, 93, 102, 123
<i>De La Howe</i> - - - - -	113	126
E.		
<i>Elections</i> of Members, &c. - - - -	7-9	49-51
" resolutions concerning the printing of -	94	114
<i>Election</i> by House, Reading Clerk - - -	4	47
<i>Elections by Joint Ballot</i> :		
" President and Directors of Bank	45	81
" Comptroller General -	53, 71	85, 98
" Superintendent of Public Works	65	94
" Regents of the Lunatic Asylum	68	96
" Attorney General - -	74	99
" Solicitors - - - -	74	100
" Master, Commissioners and Re- gisters in Equity - -	74	100
" Register of Mesne Conveyance	74	100
" 20 Trustees of the S. C. College	110	125
" Adjutant General - -	119	130
" Assessor of St. Philip's and St. Michael's	122	134
<i>Elector</i> of President and Vice President : office of, does not vacate seat - - - -	5	48
<i>Escheators</i> - - - - -	84	107

	Number.	Page.
F.		
<i>Fees</i> of Clerk of the House - - -	14	56
“ of Magistrates and District Officers -	92-93	113-114
<i>Ferries</i> - - - - -	22	61-62
<i>Fines</i> - - - - -	57, 77, 80	89, 101, 103
<i>Fire-Proof Building in Charleston</i> - -	70	97
<i>Free Schools</i> - - - - -	105-109	121, 124

G.

<i>Governor</i> , to submit report of South-Western Rail		
Road Bank - - - - -	31	70
“ to pay for surveys from Contingent Fund	35	74
“ subscription to the South-Western Rail Road		
Bank confirmed - - - - -	40	76
“ may grant to officers leave of absence -	72	99
“ may fill vacancy in Commission to approve		
securities - - - - -	81	104
“ “ in Coroner - - - - -	83	106
“ to commission Coroner - - - - -	83	107
“ “ Escheator - - - - -	84	108
“ to furnish Executive office - - - - -	120	131
“ to employ person to compile the Statutes	121	131
“ to receive and submit report of Adjutant		
General - - - - -	119	131
“ to have indexes made, if officers neglect -	76	101
<i>Guard</i> - - - - -	90	112

I.

<i>Indexes</i> - - - - -	76, 95	101, 116
<i>Insurance Companies</i> - - - - -	117, 118	129, 129

J.

<i>Jailer</i> - - - - -	93, 80, 81	114, 104
<i>Judge</i> leaving the State - - - - -	72	99

	Number.	Page.
<i>Judicial Magistrates</i> - - - -	89	111
<i>Justices of the Peace and Quorum</i> - -	85, 89	108, 111
“ “ fees - - -	92	113

L.

<i>Legislative Library</i> - - -	17-20	57-59
<i>Librarian</i> - - -	18, 19	57, 58
“ to distribute Acts and Statutes, &c.	12	54
<i>Loan</i> to South-Carolina Canal and Rail Road Company	25, 26	65, 66
“ to Louisville, Cincinnati and Charleston Rail Road	39	75
“ for re-building Charleston - -	43	79
<i>Louisville, Cincinnati and Charleston Rail Road</i>	28-41	67, 77
<i>Ludlam School</i> - - - -	115	128
<i>Lunatic Asylum</i> - - -	68, 69	96, 96

M.

<i>Managers of Election,</i> - - - -	7, 8, 9	49, 50, 51
<i>Master in Equity</i> - - -	74, 80, 82, 76	100, 103, 105, 101
<i>Money, appropriations of, to be by Act</i> - -	16	57
“ persons having distribution of -	59, 60, 61, 64	90, 91, 91, 93
<i>See Comptroller General, Commissioners of Public Buildings, Commissioners of Roads and Poor, and Commissioners of Free Schools.</i>		

N.

<i>Notice of application for Charter or Incorporation</i> -	1	45
“ of new Road, or of application for same -	21	60
“ of application for Charter of Bridge, Ferry, or Turnpike - - - -	22	61

O.

	Number.	Page.
<i>Ordinaries</i> - - -	74, 80, 82, 76	99, 103, 105, 101

P.

<i>Pensions</i> - - - - -	97-104	117-121
<i>President of Bank</i> - - - - -	48, 49	83, 83
<i>See Bank of the State of South-Carolina.</i>		
<i>Printers</i> - - - - -	95	115
<i>Printing of Acts</i> - - - - -	11, 95	53, 116
“ of Resolutions, &c. - - -	94, 95	114, 116
“ of Statutes at Large - - -	121	131

R.

<i>Rail Roads</i> - - - - -	27	67
“ See South-Carolina Canal and Rail Road Company - - -	24-26	65, 66
“ Louisville, Cincinnati and Charleston Rail Road - - -	28, 41	67, 77
<i>Reading Clerk</i> - - - - -	4	47
“ second, of bill to alter the Constitution - - -	6	48
<i>Recording Officers</i> - - - - -	76	101
<i>Records Legislative</i> - - - - -	19	58
“ of District Offices - - - - -	80	104
<i>Register in Equity</i> - - - - -	74, 80, 82, 76	100, 103, 105, 101
“ of Mesne Conveyances - - -	72, 74, 80, 82, 76	98, 100, 103 105, 101
<i>Reporter for each House</i> - - - - -	95	115
<i>Reports to the Legislature :</i>		
“ annual, from Comptroller General, of Estimates, &c. - - -	53, 61	85, 91
“ “ “ as to affairs of Bank - - -	47	82
“ “ “ Contingent Ac'ts. - - -	64, 61, 53, 91	94, 91, 86, 112

			Number,	Page.
<i>Reports to the Legislature :</i>				
"	annual, from Comptroller General, of the Ac-	counts of the Commis-		
		sioners of Roads and		
		of Poor -	55	87
"	"	" of the accounts of Com-		
		missioners of Public		
		Buildings, and Commis-		
		sioners of Columbia	54	86
"	"	" of balance sheets -	61, 64	92, 93
"	"	" of the account of the ap-		
		propriation for the tran-		
		sient poor - -	58	90
"	"	" debts due to the State	59	90
"	"	" of the account of each		
		Board of Commissioners		
		of Free Schools -	107	124
"	"	" of the Pensioners -	103	120
"	"	" of the accounts of persons		
		having the distribution		
		of public money	64, 61	94, 91
"	"	from Bank of the State of South		
		Carolina, as to fund received		
		for re-building Charleston	43	79
"	"	from South Western Rail Road		
		Bank, through Governor	31	70
"	"	from the Adjutant General,		
		through Governor -	119	130
"	"	from President of the Bank, as		
		to the debts of salaried officers	48	83
"	"	from Regents of the Lunatic		
		Asylum -	68	96
"	"	from Commissioners of Public		
		Buildings in Charleston, as to		
		Fire Proof Buildings	70	97
"	"	from Commissioners of Public		
		Buildings, whilst engaged in		
		contract - -	79	102

	Number.	Page.
<i>Reports to the Legislature :</i>		
“ annual, from each Board of Commissioners of Free Schools -	105	122
“ “ from Attorney General and Solicitors, as to District offices	80	103
“ “ from Trustees of the South-Carolina College, as to the Tuition Fund - -	111	126
“ “ from the Trustees of the Estate of Dr. De La Howe, and the Ordinary of Abbeville -	113	126
“ “ from the Vestry of St. James, Goose Creek, as to the Ludlam School and Fund	115, 116	128, 128
“ “ from City Council of Charleston, concerning the transient poor	58	89
“ “ from the Commissioners of the Poor for Prince George, Win-yaw, concerning the transient poor of Georgetown -	58	90
<i>Reports to the Legislature ; occasional :</i>		
“ from Comptroller General, of any violation of the Bank Charter, or mismanagement -	44	80
“ from Comptroller General, of any default in a receiver or disbursing of public monies	59, 60, 61, 64	90, 91, 91, 93
<i>Reports from Treasurer, of any default in a Tax Collector - - -</i>	54	87
“ biennial, from Committees of Inspection, on Bank and its Branches - -	47	82
<i>Reports to the Comptroller General :</i>		
“ from the Superintendent of Public Works	66	95
“ from any Turnpike Company, in which the State may be a Stockholder -	23	64
“ of fines from Clerks, Attorney General and Solicitors - - -	57	89
“ of Committee on the Legislative Library	20	59
“ of Regents of the Asylum - -	68	96

	Number.	Page.
<i>Reports to the Comptroller General:</i>		
“ of Commissioners of Free Schools -	107	124
“ of Commissioners of Public Buildings, of Columbia - - -	54	86
“ of Commissioners of Roads and Poor	55	87
“ of persons having public money, or evidences of debts - -	59, 60, 61	90, 91, 91
“ from Treasurer of the City Council of Charleston	58	89
“ of Treasurer, Attorney General and Solicitors, and others, as to debts - -	59	90

See Comptroller General.

<i>Residence</i> of Voter - - -	8	50
<i>Resignation</i> of seat - - -	6	48
<i>Resolution</i> , distinguished from Act -	15, 16	56, 57
“ certain, to be printed - -	96	116
“ Index to - - -	95	116
<i>Roads</i> - - - - -	21-23	60, 63

S.

<i>Secretary of State</i> : distribution of Acts -	12	54
“ to make Indexes - -	76	101
“ leaving State - -	72	99
“ roll of Justices, sent to -	86	109
<i>Securities</i> , Commissioners to approve -	81, 82	104, 105
<i>Senate</i> , resolutions of - -	4, 5, 6	47, 48, 48
<i>Session</i> , second continuance of first - -	2, 3	45, 46
<i>Sheriffs</i> , balances from - -	63	93
“ bonds, &c. - - -	81, 82	105, 105
“ fees - - - - -	93	114
<i>Solicitors. See Attorney General:</i>		
<i>South Carolina Canal and Rail Road Company</i>	24-26	65, 66
<i>South Western Rail Road Bank</i> - -	31-41	70-77
<i>State-House Keeper</i> - - -	19	58
<i>Statutes</i> at Large - - -	121, 13	131, 55

		Number.	Page.
<i>Superintendent of Public Works</i>	-	65-67, 24	94, 95, 65
<i>Surplus Revenue</i>	- -	42, 33, 34, 40	78, 73, 74, 76
<i>Surveyor General</i>	- - -	72, 76	98, 101
<i>Surveys for Rail Roads</i>	- -	24, 28, 30, 35	65, 67, 69, 74

T.

<i>Tax Collectors, defaulting</i>	- -	54, 63	87, 93
“ how elected	- -	74	99
“ bonds	- - -	82	105
“ drafts on, for pensions	-	97	117
<i>Taxes, years for which collected, to be shewn</i>	-	61	92
<i>Taxes on slaves, report of</i>	- -	62	92
<i>Transient Poor</i>	- - - -	58	90
<i>Transient, Paupers in Asylum</i>	- -	69	96
<i>Treasurer, to distribute Acts</i>	- -	11	53
“ not eligible to office of Comptroller General, if his accounts be unsettled		53	86
“ books open to Comptroller General	-	53	85
“ to furnish transcripts and statements to Comptroller General	- -	61	92
“ to keep account with every appropriation		54	87
“ to report defaulting Tax Collectors	-	54	87
“ to report to Comptroller General debts due to State	- -	59	90
“ leaving State	- -	72	99
“ to keep bonds of Officers	- -	82	105
“ to draw orders on Tax Collectors for Pensions		97	117
“ to pay Free School draft, without warrant of Comptroller General, if proper return; if not, not to pay at all	- -	106	123
<i>Trustees, of the South Carolina College</i>	-	110-112	125, 126
“ of the Estate of Dr. De La Howe	-	113	126, 127
<i>Turnpike Roads</i>	- -	22, 23	61, 63

U.

	Number.	Page.
<i>Union Insurance and Trust Company</i> -	118	129

V.

<i>Vestry of the Parish of St. James, Goose Creek</i>	115	128
<i>Voter</i> - - - -	8	50



THE CONSTITUTION

OF

THE STATE OF SOUTH CAROLINA.

JUNE 3^D, 1790.



THE CONSTITUTION

OF

THE STATE OF SOUTH CAROLINA.

JUNE 3^D, 1790.

WE, the Delegates of the people of the State of South Carolina, in General Convention met, do ordain and establish this Constitution for its government.

ARTICLE I.

SEC. 1. The legislative authority of this State, shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives.

SEC. 2. The House of Representatives shall be composed of members chosen by ballot, every second year, by the citizens of this State, qualified as in this Constitution is provided.

SEC. 3. The several election districts in this State, shall elect the following number for representatives, viz:

Charleston, including St. Philip and St. Michael,	Fifteen Members.	
Christ Church,	Three	Proportion of them.
St. John, Berkley,	Three	
St. Andrew,	Three	

St. George, Dorchester,	-	-	Three Members.
St. James, Goose Creek,	-	-	Three "
St. Thomas and St. Dennis,	-	-	Three "
St. Paul,	-	-	Three "
St. Bartholomew,	-	-	Three "
St. James, Santee,	-	-	Three "
St. John, Colleton,	-	-	Three "
St. Stephen,	-	-	Three "
St. Helena,	-	-	Three "
St. Luke,	-	-	Three "
Prince William,	-	-	Three "
St. Peter,	-	-	Three "
All Saints, (including its ancient boundaries,)			One "
Winyaw, (not including any part of All Saints,)			Three "
Kingston, (not including any part of All Saints,)			Two "
Williamsburg,	-	-	Two "
Liberty,	-	-	Two "
Marlborough,	-	-	Two "
Chesterfield,	-	-	Two "
Darlington,	-	-	Two "
York,	-	-	Three "
Chester,	-	-	Two "
Fairfield,	-	-	Two "
Richland,	-	-	Two "
Lancaster,	-	-	Two "
Kershaw,	-	-	Two "
Claremont,	-	-	Two "
Clarendon,	-	-	Two "
Abbeville,	-	-	Three "
Edgefield,	-	-	Three "
Newberry, (including the Fork between Broad and Saluda Rivers,)	-	-	Three "
Laurens,	-	-	Three "
Union	-	-	Two "
Spartan,	-	-	Two "
Greenville,	-	-	Two "
Pendleton,	-	-	Three "
St. Matthew,	-	-	Two "

Orange,	-	-	-	-	Two Members.
Winton, (including the district between Savannah					
river and the north Fork of Edisto,)	-				Three “
Saxe Gotha,	-	-	-	-	Three “

SEC. 4. Every free white man, of the age of twenty-one years, being a citizen of this State, and having resided therein two years previous to the day of election, and who hath a freehold of fifty acres of Land, or a Town Lot, of which he hath been legally seized and possessed at least six months before such election, or, not having such freehold or town lot, hath been a resident in the election district, in which he offers to give his vote, six months before the said election, and hath paid a tax the preceding year, of three shillings sterling, towards the support of this government, shall have a right to vote for a member or members, to serve in either branch of the legislature, for the election district in which he holds such property, or is so resident.

Amended 1810.
Qualification.

SEC. 5. The returning officer, or any other person present, entitled to vote, may require any person who shall offer his vote at an election, to produce a certificate of his citizenship, and a receipt from the tax collector, of his having paid a tax, entitling him to vote, or swear or affirm, that he is duly qualified to vote agreeably to this constitution.

How proved or ex-
amined.

SEC. 6. No person shall be eligible to a seat in the House of Representatives, unless he is a free white man of the age of twenty-one years, and hath been a citizen and resident in this State, three years previous to his election. If a resident in the election district, he shall not be eligible to a seat in the House of Representatives, unless he be legally seized and possessed, in his own right, of a settled freehold estate of five hundred acres of land, and ten negroes; or of a real estate of the value of one hundred and fifty pounds sterling, clear of debt. If a non-resident, he shall be legally seized and possessed of a settled freehold estate therein, of the value of five hundred pounds sterling, clear of debt.

Who may or may
not be elected.

SEC. 7. The Senate shall be composed of members, to be chosen for four years, in the following proportions, by the citizens of this State, qualified to elect members to the House of Representatives, at the same time, in the same manner, and at the same places where they shall vote for representatives, viz:

Amended 1808.

Senators chosen for
four years.

Charleston, (including St. Philip and St. Michael,)	Two Members.
Christ Church,	One “
St. John, Berkley,	One “
St. Andrew,	One “
St. George,	One “

Proportion of them.

St. James, Goose Creek, .. - . - .	One Member.
St. Thomas and St. Dennis,	One "
St. Paul, - . - . - .	One "
St. Bartholomew,	One "
St. James, Santee,	One "
St. John, Colleton,	One "
St. Stephen,	One "
St. Helena,	One "
St. Luke,	One "
Prince William,	One "
St. Peter,	One "
All Saints,	One "
Winyaw & Williamsburgh,	One "
Liberty and Kingston,	One "
Marlborough, Chesterfield and Darlington, .	Two "
York,	One "
Fairfield, Richland and Chester,	One "
Lancaster and Kershaw,	One "
Claremont and Clarendon,	One "
Abbeville,	One "
Edgefield,	One "
Newberry, (including the fork between Broad and Saluda rivers,)	One "
Laurens,	One "
Union	One "
Spartan,	One "
Greenville,	One "
Pendleton,	One "
St. Matthew and Orange,	One "
Winton, (including the distance between Savan- nah river and the North fork of Edisto,) .	One "
Saxe Gotha,	One "

Who shall not be
eligible to the Sen-
ate.

SEC. 8. No person shall be eligible to a seat in the Senate, unless he is a free white man, of the age of thirty years, and hath been a citizen and resident in this State, five years previous to his election. If a resident in the election district, he shall not be eligible, unless he be legally seized and possessed, in his own right, of a settled freehold estate of the value of three hundred pounds sterling, clear of debt. If a non-resident in the election district, he shall not

be eligible, unless he be legally seized and possessed, in his own right, of a settled freehold estate, in the said district, of the value of one thousand pounds sterling, clear of debt.

SEC. 9. Immediately after the Senators shall be assembled, in consequence of the first election, they shall be divided by lot, into two classes. The seats of the senators of the first class shall be vacated at the expiration of the second year, and of the second class, at the expiration of the fourth year; so that one half thereof, as near as possible, may be chosen, forever thereafter, every second year, for the term of four years.

Amended 1808.

Senate divided into two classes, and how.

SEC. 10. Senators, and members of the House of Representatives, shall be chosen on the second Monday in October next, and the day following; and on the same days in every second year thereafter, in such manner and at such times as are herein directed, and shall meet on the fourth Monday in November, annually, at Columbia, (which shall remain the seat of government, until otherwise determined by the concurrence of two thirds of both branches of the whole representation,) unless the casualties of war, or contagious disorders, should render it unsafe to meet there; in either of which cases, the Governor or Commander-in-Chief, for the time being, may, by proclamation, appoint a more secure and convenient place of meeting.

Members of Legislature.

When chosen.

When to meet, and where.

SEC. 11. Each house shall judge of the elections, returns, and qualifications of its own members; and a majority of each house shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties, as may be provided by law.

Validity of elections how determined.

Quorum.

Adjournment from day to day.

SEC. 12. Each house shall choose, by ballot, its own officers, determine its rules of proceeding, punish its members for disorderly behaviour, and with the concurrence of two-thirds, expel a member, but not a second time for the same cause.

Each house to elect their own officers.

SEC. 13. Each house may punish, by imprisonment, during its sitting, any person, not a member, who shall be guilty of disrespect to the house, by any disorderly or contemptuous behaviour in its presence; or who, during the time of its sitting, shall threaten harm to body or estate of any member, for any thing said or done in either house; or who shall assault any of them therefor; or who shall assault or arrest any witness or other person ordered to attend the house, in his going to or returning therefrom; or who shall rescue any person arrested by order of the house.

Powers of the house to punish for contempt.

SEC. 14. The members of both houses shall be protected in their persons and estates, during their attendance on, going to, and returning from, the legislature,

Privileges of members and their estates.

and ten days previous to the sitting, and ten days after the adjournment of the legislature. But these privileges shall not be extended so as to protect any member who shall be charged with treason, felony, or breach of the peace.

Revenue bills.

SEC. 15. Bills for raising a revenue, shall originate in the House of Representatives, but may be altered, amended, or rejected by the Senate.

Other bills.

All other bills may originate in either house, and may be amended, altered, or rejected, by the other.

What shall give the force of a law.

SEC. 16. No bill or ordinance shall have the force of law, until it shall have been read three times, and on three several days, in each house, has had the great seal affixed to it, and has been signed, in the Senate House, by the President of the Senate and Speaker of the House of Representatives.

No monies drawn from treasury, but by Legislature.

SEC. 17. No money shall be drawn out of the public treasury, but by the legislative authority of the State.

Compensation to members.

SEC. 18. The members of the legislature, who shall assemble under this constitution, shall be entitled to receive, out of the public treasury, as a compensation for their expenses, a sum not exceeding seven shillings sterling a day, during their attendance on, going to, and returning from the legislature; but the same may be increased or diminished by law, if circumstances shall require; but no alterations shall be made by any legislature, to take effect during the existence of the legislature which shall make such alteration.

Adjournment of Houses.

SEC. 19. Neither house, during their session, without the consent of the other, shall adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

Regulation about bringing in bills, &c. once rejected.

SEC. 20. No bill or ordinance, which shall have been rejected by either house, shall be brought in again during the sitting, without leave of the house, and notice of six days being previously given.

What persons are excluded from Legislature.

SEC. 21. No person shall be eligible to a seat in the legislature, whilst he holds any office of profit or trust, under this State, the United States, or either of them, or under any other power—except officers in the militia, army, or navy of this State, Justices of the Peace or Justices of the County Courts, while they receive no salaries; nor shall any contractor of the army or navy of this State, the United States, or either of them, or the agents of such contractor, be eligible to a seat in either house. And if any member shall accept or exercise any of the said disqualifying offices, he shall vacate his seat.

How vacancies in Legislature shall be filled.

SEC. 22. If any election district shall neglect to choose a member or members, on the days of election, or if any person chosen a member of either house, should refuse to qualify and take his seat, or should die, depart the State, or accept any disqualifying office, a writ of election shall be issued by the President

of the Senate, or Speaker of the House of Representatives, as the case may be, for the purpose of filling up the vacancy thereby occasioned, for the remainder of the term for which the person so refusing to qualify, dying, departing the State, or accepting a disqualifying office, was elected to serve.

SEC. 23. And whereas, the ministers of the gospel are, by their profession, Clergymen excluded dedicated to the service of God, and the cure of souls, and ought not to be diverted from the great duties of their function; therefore, no minister of the gospel, or public preacher, of any religious persuasion, whilst he continues in the exercise of his pastoral functions, shall be eligible to the office of Governor, Lieutenant Governor, or to a seat in the Senate or House of Representatives.

ARTICLE II.

SEC. 1. The Executive authority of this State shall be vested in a Governor, Executive. to be chosen in the manner following: As soon as may be, after the first How chosen; for two years. meeting of the Senate and House of Representatives, and at every first meeting of the House of Representatives thereafter, when a majority of both Houses shall be present, the Senate and House of Representatives shall, jointly, in the House of Representatives, choose by ballot, a Governor, to continue for two years, and until a new election shall be made.

SEC. 2. No person shall be eligible to the office of Governor, unless he hath Qualification of Governor. attained the age of thirty years, and hath resided within the State, and been a citizen thereof, ten years, and unless he be seized and possessed of a settled estate within the same, in his own right, of the value of fifteen hundred pounds sterling, clear of debt.

No person having served two years as Governor, shall be re-eligible to that Not re-eligible for four years. office, till after the expiration of four years.

No person shall hold the office of Governor, and any other office, or commission, civil or military, except in the militia, either in this State, or under any Disqualification. State, or the United States, or any other power, at one and the same time.

SEC. 3. A Lieutenant-Governor shall be chosen at the same time, in the same Lt. Governor, how chosen, &c. manner, continue in office for the same period, and be possessed of the same qualifications as the Governor.

SEC. 4. A Member of the Senate or House of Representatives, being chosen, Member of Legislature vacates his seat on being chosen Governor or Lieut. Governor. and acting as Governor or Lieutenant Governor, shall vacate his seat, and another person shall be elected in his stead.

- Vacancies, how filled** SEC. 5. In case of the impeachment of the Governor, or his removal from office, death, resignation, or absence from the State, the Lieutenant-Governor shall succeed to his office. And in case of the impeachment of the Lieutenant-Governor, or his removal from office, death, resignation, or absence from the State, the President of the Senate shall succeed to his office, until a nomination to those offices, respectively, shall be made by the Senate and House of Representatives, for the remainder of the time for which the officer so impeached, removed from office, dying, resigning, or being absent, was elected.
- Governor to command army, &c.** SEC. 6. The Governor shall be Commander-in-Chief of the Army and Navy of this State, and of the Militia, except when they shall be called into the actual service of the United States.
- May grant pardons, &c.** SEC. 7. He shall have power to grant reprieves and pardons, after conviction, except in cases of impeachment, in such manner, on such terms, and under such restrictions, as he shall think proper; and he shall have power to remit fines and forfeitures, unless otherwise directed by law.
- Shall execute the laws.** SEC. 8. He shall take care that the laws be faithfully executed, in mercy.
- May prohibit exportation of provisions.** SEC. 9. He shall have power to prohibit the exportation of provisions, for any time not exceeding thirty days.
- His compensation.** SEC. 10. He shall, at stated times, receive for his services, a compensation which shall be neither increased or diminished, during the period for which he shall have been elected.
- Executive officers shall give information to Governor.** SEC. 11. All the officers in the Executive Department, when required by the Governor, shall give him information in writing, upon any subject relating to the duties of their respective offices.
- Governor shall give information to Assembly.** SEC. 12. The Governor shall, from time to time, give to the General Assembly, information of the condition of the State, and recommend to their consideration such measures as he shall judge necessary or expedient.
- May convene Gen. Assembly on extraordinary occasions, and adjourn Legislature when they cannot agree.** SEC. 13. He may, on extraordinary occasions, convene the General Assembly, and, in case of disagreement between the two Houses, with respect to the time of adjournment, adjourn them to such time as he shall think proper, not beyond the fourth Monday in the month of November, then ensuing.

ARTICLE III.

- Judiciary.** SEC. 1. The judicial power shall be vested in such superior and inferior courts of law and equity, as the Legislature shall, from time to time, direct and establish.
- Courts of Law and Equity.**

The Judges of each shall hold their commissions during good behaviour; and the Judges of the Superior Courts shall, at stated times, receive a compensation for their services, which shall neither be increased or diminished, during their continuance in office: but they shall receive no fees or perquisites of office, nor hold any other office of profit or trust, under this State, the United States, or any other power.

Judges shall hold commissions during good behaviour, &c. receive compensation, and disqualified from holding any other office.

SEC. 2. The style of all process shall be, "The State of South-Carolina." All prosecutions shall be carried on in the name, and by the authority of the State of South-Carolina, and conclude—"against the peace and dignity of the same."

Style of process.

ARTICLE IV.

All persons who shall be chosen or appointed to any office of profit or trust, before entering on the execution thereof, shall take the following oath: "I do swear, (or affirm,) that I am duly qualified, according to the constitution of this State, to exercise the office to which I have been appointed, and will, to the best of my abilities, discharge the duties thereof, and preserve, protect, and defend the constitution of this State, and of the United States."

Amended 1834.

Oath of Office.

ARTICLE V.

SEC. 1. The House of Representatives shall have the sole power of impeaching; but no impeachment shall be made, unless with the concurrence of two-thirds of the House of Representatives.

Representatives shall impeach.

SEC. 2. All impeachments shall be tried by the Senate. When sitting for that purpose, the Senators shall be on oath, or affirmation; and no person shall be convicted, without the concurrence of two-thirds of the members present.

Senate to try impeachments.

SEC. 3. The Governor, Lieutenant Governor, and all the civil officers, shall be liable to impeachment, for any misdemeanor in office; but judgment in such cases shall not extend further than to a removal from office, and disqualification to hold any office of honor, trust, or profit, under this State. The party convicted shall, nevertheless, be liable to indictment, trial, judgment, and punishment, according to law.

Amended 1828. Who liable to impeachment.

Punishment in case of conviction.

ARTICLE VI.

How officers shall
be elected.

SEC. 1. The Judges of the Superior Courts, the Commissioners of the Treasury, Secretary of the State, and Surveyor General, shall be elected by the joint ballot of both Houses, in the House of Representatives. The Commissioners of the Treasury, Secretary of the State, and Surveyor General, shall hold their offices for four years; but shall not be eligible again for four years after the expiration of the time for which they shall have been elected.

Limitation of some
commissions.

Other officers, how
appointed.
Sheriff elected for
4 years.

SEC. 2. All other officers shall be appointed as they hitherto have been, until otherwise directed by law; but Sheriffs shall hold their offices for four years, and not be again eligible for four years after the term for which they shall have been elected.

Style of commis-
sions.

SEC. 3. All commissions shall be in the name, and by the authority of the State of South Carolina, and be sealed with the seal of the State, and be signed by the Governor.

ARTICLE VII.

Laws to continue of
force until altered.

All laws of force in this State, at the passing of this constitution, shall so continue, until altered or repealed by the legislature; except where they are temporary, in which case they shall expire at the times respectively limited for their duration, if not continued by Act of the Legislature.

ARTICLE VIII.

Free exercise of any
religious profession.

Proviso.

SEC. 1. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall, forever hereafter, be allowed within this State, to all mankind; provided, that the liberty of conscience thereby declared, shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of this State.

Rights, &c., pre-
served to corporate
and other bodies.

SEC. 2. The rights, privileges, immunities, and estates of both civil and religious societies and of corporate bodies, shall remain as if the constitution of this State had not been altered or amended.

ARTICLE IX.

SEC. 1. All power is originally vested in the people; and all free governments are founded on their authority, and are instituted for their peace, safety and happiness. Declaration of rights.

SEC. 2. No freeman of this State shall be taken, or imprisoned, or disseized of his freehold, liberties, or privileges; or outlawed, or exiled, or in any manner destroyed, or deprived of his life, liberty, or property, but by the judgment of his peers, or by the law of the land; nor shall any bill of attainder, ex post facto law, or law impairing the obligation of contracts, ever be passed by the Legislature of this State.

SEC. 3. The military shall be subordinate to the civil power.

SEC. 4. Excessive bail shall not be required, nor excessive fines imposed, nor cruel punishments inflicted.

SEC. 5. The Legislature shall not grant any title of nobility, or hereditary distinction, nor create any office, the appointment to which shall be for any longer time than during good behaviour.

SEC. 6. The trial by jury, as heretofore used in this State, and the liberty of the press, shall be forever inviolably preserved.

ARTICLE X.

SEC. 1. The business of the Treasury shall be in future conducted by two Treasurers, one of whom shall hold his office and reside in Columbia; the other shall hold his office and reside in Charleston. Treasury, how conducted.

SEC. 2. The Secretary of State, and the Surveyor General, shall hold their offices both in Columbia and Charleston. They shall reside at one place, and their deputies at the other. And secretary's office, &c.

SEC. 3. At the conclusion of the Circuits, the Judges shall meet and sit at Columbia, for the purpose of hearing and determining all motions which may be made for new trials, and in arrest of judgments, and such points of law as may be submitted to them. From Columbia they shall proceed to Charleston, and there hear and determine all such motions for new trials, and in arrest of judgment, and such points of law, as may be submitted to them. Amended 1816. Judges shall meet at Columbia after circuit.

SEC. 4. The Governor shall always reside, during the sitting of the Legislature, at the place where their session may be held, and at all other times, wherever, in his opinion, the public good may require. Governor shall reside where legislature sits, during session.

Rights of primogeniture to be abolished

SEC. 5. The Legislature shall, as soon as may be convenient, pass laws for the abolition of the rights of primogeniture, and for giving an equitable distribution of the real estates of intestates.

ARTICLE XI.

Convention to be called by two-thirds of legislature.

No Convention of the people shall be called, unless by the concurrence of two-thirds of both branches of the whole representation.

Constitution, how to be altered.

No part of this Constitution shall be altered, unless a bill to alter the same shall have been read three times in the House of Representatives, and three times in the Senate, and agreed to by two-thirds of both branches of the whole representation; neither shall any alteration take place, until the bill, so agreed to, be published three months previous to a new election for members to the House of Representatives; and if the alteration proposed by the Legislature, shall be agreed to in the first session, by two-thirds of the whole representation in both branches of the Legislature, after the same shall have been read three times, on three several days, in each House, then, and not otherwise, the same shall become a part of the Constitution.

Done in Convention, at Columbia, in the State of South Carolina, the third day of June, in the Year of our Lord 1790, and in the 14th year of the Independence of the United States of America.

By the unanimous order of the Convention.

CHARLES PINCKNEY,
President.

Attest,

JOHN S. DART, *Secretary.*

THAT NO INCONVENIENCE MAY ARISE FROM THE ALTERATIONS AND AMENDMENTS IN THE CONSTITUTION OF THIS STATE, IT IS HEREBY DECLARED AND ORDAINED:

SEC. 1. That the government shall be administered as heretofore, until the meeting and sitting of the Legislature, to be held under this constitution. Provisions until new Constitution can operate.

SEC. 2. And whereas, the existing laws render it highly inconvenient for the Legislature to meet on the fourth Monday in November, next, it is therefore ordained, that instead thereof, the members of the Senate and House of Representatives, to be elected on the second Monday in October, and on the day following, shall meet at Columbia, the seat of Government, on the first Monday in January next.

SEC. 3. It is also ordained, that the Commissioners of the Treasury shall, with all convenient dispatch, take a balance of the treasury books, which balance shall be lodged in the Treasurer's office, in Columbia, and the original books in the Treasurer's office, in Charleston.

SEC. 4. It is the opinion of the Convention, that the Legislature, at the first session which shall be held under this constitution, should regulate and establish by law, all the fees of the respective courts and offices throughout this State.

SEC. 5. That they also provide for the annual and final settlement of the accounts of the Commissioners of the Treasury, so that the pecuniary interest of the State be duly attended to, and the persons who faithfully discharge the duties of that important office, be quieted therein, and their sureties released in a fixed and reasonable time.

SEC. 6. That the Legislature shall make effectual provision for revising, digesting and publishing the laws of this State, so that a general knowledge thereof may be diffused among the citizens of this State.

SEC. 7. The Legislature, at their next meeting, shall proceed to the election of Justices of the Peace, throughout the State, and Justices of the county courts, where county courts are established, and that all former commissions of the peace, then cease; and that, in future, all commissions of the peace expire at fixed periods, to be declared by law.

SEC. 8. That all rotatory officers, at the first meeting of the Legislature, under this constitution, may be re-elected, notwithstanding any time they may have before served, under the former constitution.

By the unanimous order of the Convention, June 3, 1790.

CHARLES PINCKNEY,
President.

Attest,

JOHN SANDFORD DART, *Secretary.*

AMENDMENTS TO THE CONSTITUTION OF THE STATE OF SOUTH-CAROLINA.

AMENDMENTS, RATIFIED DECEMBER 17, 1808.

Secs. 3, 7 and 9 of
Art. 1, amended.

SEC. 1. The following sections, in amendment of the third, seventh and ninth sections of the first article of the constitution of this State, shall be, and they are hereby declared, to be valid parts of the said constitution; and the said third, seventh and ninth sections, or such parts thereof as are repugnant to such amendments, are hereby repealed and made void.

124 Representatives

Apportioned according to white population and taxes.

Census to be taken.

SEC. 2. The House of Representatives shall consist of one hundred and twenty-four members; to be apportioned among the several election districts of the State, according to the number of white inhabitants contained, and the amount of all taxes raised by the legislature, whether direct or indirect, or of whatever species, paid in each, deducting therefrom all taxes paid on account of property held in any other district; and adding thereto, all taxes elsewhere paid on account of property held in such district; an enumeration of the white inhabitants, for this purpose, shall be made in the year one thousand eight hundred and nine, and in the course of every tenth year thereafter, in such manner as shall be by law directed; and representatives shall be assigned to the different districts, in the above mentioned proportion, by act of the Legislature, at the session immediately succeeding the above enumeration.

SEC. 3. If the enumeration herein directed, should not be made in the course of the year appointed for the purpose, by these amendments, it shall be the duty of the Governor to have it effected as soon thereafter as shall be practicable.

SEC. 4. In assigning representatives to the several districts of this State, the ^{Fractions.} Legislature shall allow one representative for every sixty-second part of the whole number of white inhabitants in the State; and one representative also for every sixty-second part of the whole taxes raised by the Legislature of the State. The Legislature shall further allow one representative for such fractions of the sixty-second part of the white inhabitants of the State, and of the sixty-second part of the taxes raised by the Legislature of the State, as when added together, form a unit.

SEC. 5. In every apportionment of representation, under these amendments, which shall take place after the first apportionment, the amount of taxes shall be estimated from the average of the ten preceding years; but the first apportionment shall be founded upon the tax of the preceding year, excluding from the amount thereof, the whole produce of the tax on sales at public auction.

SEC. 6. If in the apportionment of representatives, under these amendments, any election district shall appear not to be entitled, from its population and its taxes, to a representative, such election district shall, nevertheless, send one representative; and if there should be still a deficiency of the number of representatives required by these amendments, such deficiency shall be supplied by assigning representatives to those election districts having the largest surplus fractions, whether those fractions consist of a combination of population and taxes, or of population, or of taxes separately, until the number of one hundred and twenty four members be provided.

SEC. 7. No apportionment, under these amendments, shall be construed to take effect in any manner, until the general election which shall succeed such apportionment.

SEC. 8. The election districts for members of the House of Representatives, shall be and remain as heretofore established, except Saxe Gotha and Newberry, in which the boundaries shall be altered as follows, viz: That part of Lexington, in the fork of Broad and Saluda rivers, shall no longer compose a part of the election district of Newberry, but shall be henceforth attached to and form a part of Saxe Gotha. And also except Orange and Barnwell, or Winton, in which the boundaries shall be altered as follows, viz: That part of Orange, in the fork of Edisto, shall no longer compose a part of the election district of

Election Districts
established. Pendle
ton changed, 1820.

Barnwell or Winton, but shall henceforth be attached to, and form a part of Orange election district.

Senators.

SEC. 9. The Senate shall be composed of one member from each election district, as now established for the election of members of the House of Representatives, except the district formed by the parishes of St. Philip and St. Michael, to which shall be allowed two Senators, as heretofore.

Classed.

SEC. 10. The seats of those Senators who, under the constitution, shall represent two or more election districts, on the day preceeding the second Monday of October, which will be in the year one thousand eight hundred and ten, shall be vacated on that day, and the new Senators who shall represent such districts under these amendments, shall, immediately after they shall have been assembled under the first election, be divided by lot into two classes; the seats of the Senators of the first class shall be vacated at the expiration of the second year; and of the second class, at the expiration of the fourth year; and the number of these classes shall be proportioned, that one half of the whole number of Senators may, as nearly as possible, continue to be chosen thereafter, every second year.

Mode of altering these amendments.

SEC. 11. None of these amendments, becoming parts of the constitution of this State, shall be altered, unless a bill to alter the same shall have been read, on three several days, in the House of Representatives, and on three several days, in the Senate, and agreed to at the second and third reading, by two-thirds of the whole representation, in each branch of the Legislature; neither shall any alteration take place, until the bill, so agreed to, be published three months previous to a new election for members to the House of Representatives; and if the alteration proposed by the Legislature shall be agreed to in their first session, by two-thirds of the whole representation, in each branch of the Legislature, after the same shall have been read on three several days, in each house, then, and not otherwise, the same shall become a part of the constitution.

AMENDMENT, RATIFIED DECEMBER 19, 1810.

Qualifications of voter changed.

That the fourth section of the first article of the constitution of this State, be altered and amended to read as follows: Every free white man, of the age of twenty-one years, paupers and non-commissioned officers and private soldiers of the army of the United States, excepted, being a citizen of this State, and having resided therein two years previous to the day of election, and who hath

a freehold of fifty acres of Land, or a town lot, of which he hath been legally seized and possessed at least six months before such election, or, not having such freehold or town lot, hath been a resident in the election district, in which he offers to give his vote, six months before the said election, shall have a right to vote for a member or members, to serve in either branch of the legislature, for the election district in which he holds such property, or is so resident.

AMENDMENT, RATIFIED DECEMBER 19, 1816.

That the third section of the tenth article of the constitution of this State, be altered and amended to read as follows; The Judges shall, at such times and places as shall be prescribed by act of the legislature of this State, meet and sit for the purpose of hearing and determining all motions which may be made for new trials, and in arrest of judgment, and such points of law as may be submitted to them.

Times and places for the meeting of the Judges, at the discretion of the Legislature.

AMENDMENT, RATIFIED DECEMBER 20, 1820.

That all that territory lying within the chartered limits of this State, and which was ceded by the Cherokee nation, in a treaty concluded at Washington, on the twenty-second day of March, in the year of our Lord, one thousand eight hundred and sixteen, and confirmed by an act of the legislature of this State, passed on the nineteenth day of December, in the same year, shall be, and the same is hereby declared to be annexed to, and shall form and continue a part of the election district of Pendleton.

Election District of Pendleton changed.

AMENDMENT, RATIFIED DECEMBER, 19-20, 1828.

That the third section of the fifth article of the constitution of this State, shall be altered, to read as follows, viz:

SEC. 3. The Governor, Lieutenant-Governor, and all civil officers, shall be liable to impeachment for high crimes and misdemeanors, for any misbehaviour in office, for corruption in procuring office, or for any act which shall degrade their official character. But judgment, in such cases, shall not extend further

Grounds of impeachment altered.

than to removal from office, and disqualification to hold any office of honor, trust, or profit, under this State. The party convicted shall, nevertheless, be liable to indictment, trial, judgment and punishment, according to law.

All district offices to
be regulated by law

SEC. 4. All civil officers, whose authority is limited to a single election district, a single judicial district, or part of either, shall be appointed, hold their office, be removed from office, and in addition to liability to impeachment, may be punished for official misconduct, in such manner as the legislature, previous to their appointment, may provide.

Removal for infirm-
ity.

SEC. 5. If any civil officer shall become disabled from discharging the duties of his office, by reason of any permanent bodily or mental infirmity, his office may be declared to be vacant, by joint resolution, agreed to by two-thirds of the whole representation in each branch of the Legislature: *Provided*, That such resolution shall contain the grounds for the proposed removal, and before it shall pass either house, a copy of it shall be served on the officer and a hearing be allowed him.

AMENDMENT, RATIFIED DECEMBER 6, 1834.

Oath of office.

That the fourth article of the Constitution of this State, shall be amended, so as to read as follows, viz: Every person who shall be chosen or appointed to any office of profit or trust, before entering on the execution thereof, shall take the following oath: "I do solemnly swear, (or affirm,) that I will be faithful, and true allegiance bear to the State of South Carolina, so long as I may continue a citizen thereof; and that I am duly qualified, according to the constitution of this State, to exercise the office to which I have been appointed; and that I will, to the best of my abilities, discharge the duties thereof, and preserve, protect and defend the constitution of this State, and of the United States: So help me God."

INDEX

TO THE

Constitution of the State of South Carolina.

Reference to the Articles, Sections, Provisions, and Amendments.

A.

	Art.	Sec.
<i>Abbeville</i> , number of Representatives. Amendment 1808	1	3
“ one Senator. Amendment 1808 -	1	7
<i>Absent</i> members, attendance of, may be compelled by number less than a quorum - -	1	11
<i>Absence</i> from the State, of Governor, or Lieutenant-Governor, who shall succeed in case of. <i>See Depart.</i>	2	5
<i>Accept</i> disqualifying office, if members should. <i>See Office</i>	1	21, 22
<i>Act</i> of Legislature. Amendments, 1808, S. 11; 1816; 1820 <i>See Law, Houses, Legislature.</i>	7	
<i>Adjourn</i> , less than a quorum may, from day to day -	1	11
“ neither house shall, for more than three days, with- out the consent of the other - -	1	19
“ the Governor shall adjourn the two houses, in case of disagreement - - -	2	13
<i>Adjournment</i> - - - -	1, 2	14, 13
<i>Affirmation.</i> Amendment 1834, - -	1, 4, 5	5, 2
<i>Age</i> of voter for member of either house. Amend. 1810	1	4

	Art.	Sec.
<i>Age</i> of Member of House of Representatives -	1	6
“ of Senator - - - -	1	8
“ of Governor - - - -	2	2
<i>Agents</i> of Contractors - - - -	1	21
<i>Allegiance.</i> Amendment 1834		
<i>All Saints.</i> Amendment 1808 - -	1	3, 7
<i>Alterations</i> of Constitution, how to be made. Amendment 1808, sec. 11 - - -	11	2
<i>Amendments</i> of Constitution, 1808, 1810, 1816, 1820, 1828 1834.		
“ of 1808, how to be altered. Amendment 1808, S. 11.		
“ and alterations of bills, by two houses -	1	15
<i>Appeals.</i> Amendment 1816 - - -	10	3
<i>Appointed.</i> Amendments 1828, 1834 -	4, 6, 9,	2, 5
<i>See Elected, Chosen, and Nomination.</i>		
<i>Appointment</i> of Representation. Amendment 1808 -	1	3, 7
<i>Appropriation</i> of money, how made - -	1	17
<i>Arrest</i> of member or witness - - -	1	13, 14
“ by order of House, and rescue - -	1	14
<i>Army</i> of this State - - - -	1, 2	21, 6
“ of the United States, non-commissioned officers and soldiers, not entitled to vote. Amendment 1810.		
<i>Assault</i> upon member, or witness, how punished -	1	13
<i>Attainder</i> , bill of - - - -	9	2
<i>Auction</i> , taxes on sales at. Amendment 1808, S. 5.		

B.

<i>Bail</i> , excessive, not to be required - -	9	4
<i>Ballot</i> , members of the Legislature to be chosen by -	1	2, 7
“ officers of either house - - -	1	12
“ Governor, two houses jointly, to choose by -	2	1
“ Judges, Treasurer, Secretary of State, and Surveyor General, to be chosen by joint - -	6	1
<i>Barnwell</i> , (<i>See Winton</i> , Art. 1. Sec. 3, 7.) Amendment 1808, S. 8.		

	Art.	Sec.
<i>Bills</i> for raising revenue, shall originate in the House of Representatives, but may be altered, amended, or rejected by the Senate - - -	1	15
“ other, may originate in either house, and be amended, altered, or rejected by the other - -	1	15
“ when they shall have the force of laws - -	1	16
“ readings, signing, and sealing of - -	1	16
“ rejected, not to be brought in again without leave and notice - - - - -	1	20
“ of attainder - - - - -	9	2
“ to alter the Constitution - - - -	11	2
“ to alter the amendments of 1808. Amendment 1808, S. 11.		

C.

Census. Amendment 1808, S. 1, 2.

Certificate of citizenship - - - - - 1 5

Charleston, (including St. Philip's and St. Michael's.) Am. 1808. - - - - - 1 3, 7

“ one Treasurer to reside at - - - 10 1

“ original books of Treasury to be kept at. Prov. 3

“ Secretary of State and Surveyor, in person, or by Deputy, to keep office at - - - 10 2

Chester. Amendment 1808 - - - - - 1 3, 7

Chesterfield. Amendment 1808 - - - - - 1 3, 7

Cherokee Nation, territory of, annexed to Pendleton. Amend. 1820

Choose, Chosen. Amendment 1834. A. 1, S. 2; A. 1, S. 7; A. 1, S. 10, 12; A. 2, S. 1; A. 2, S. 3, 4; A. 4.

See Elected and Appointed.

Christ Church. Amendment 1808 - - - - - 1 3, 7

Citizens of this State, members to be chosen by - - - 1 2, 7

“ voters must be. Amendment 1810 - - - 1 4

“ members of house must be - - - 1 6

“ “ of senate - - - - - 1 8

“ Governor must be one - - - - - 2 2

	Art.	Sec.
<i>Citizens</i> , Lieutenant-Governor must be one - -	2	3
“ general knowledge of the laws of this State, be dif- fused among the. Prov. - -	.	6
“ may continue a citizen thereof. Amendment 1834		
<i>Civil Power</i> superior to military - -	9	3
“ officers liable to impeachment. Amendment 1828	5	3
“ “ “ removal, by resolution. Am. 1828.		
“ Societies - - - -	8	2
<i>Claremont</i> . Amendment 1808 - - - -	1	3, 7
<i>Clarendon</i> . Amendment 1808 - - - -	1	3, 7
<i>Classes</i> , Senators divided into two. Amend. 1808, Sec. 10.	1	8
<i>Clergymen</i> - - - -	1	23
<i>Columbia</i> , seat of government - - - -	1	10
“ Constitution adopted at. <i>Conclusion</i> .		
“ one Treasurer to reside at - -	10	1
“ Secretary of State and Surveyor General to keep office at - - - -	10	2
“ Judges to meet at. Amendment 1816. -	10	3
“ first meeting of Legislature to be at, in January. Prov. “ - - - -		2
“ balance of Treasury books, to be lodged at. Prov.		3
<i>Commander-in-Chief</i> - - - -	2	6
<i>Commissioners</i> of the Treasury. (<i>See Treasurers</i> .)		
<i>Commissions</i> , in what name and form, and by whom signed	6	3
“ no other, except in militia, to be held by Go- vernor - - - -	2	2
<i>See Office</i> .		
“ of Judges, to be during good behaviour -	3	1
“ of the Peace, former to cease. Prov. -		7
<i>Compensation</i> of members of the Legislature -	1	18
“ of Governor - - - -	2	10
“ of Judges of the Supreme Courts - -	3	1
<i>Conclusion</i> of prosecutions - - - -	3	1
<i>Constitution</i> , former, of this State. Prov. secs. 1, 8, and Preamble to Provisions - - - -	8	2
“ present of this State, ordained and established by delegates of the people. <i>Preamble and Conclusion</i> .		

	Art.	Sec.
<i>Constitution</i> , oath to defend. Amendment 1834 -	4	
“ how to be altered. Amendment 1808, Sec. 11	11	2
“ of the United States, oath to defend. Amend- ment 1834 - -	4	
<i>Contempt</i> of either house, what, and how punished -	1	13
<i>Contracts</i> , obligations of, not to be impaired - -	9	2
<i>Contractor</i> , or his agent, excluded from the legislature	1	21
<i>Convention</i> , delegates of the people met in, ordain the Consti- tution. Preamble and Conclusion ; Prov.		4
“ of the people, how to be called -	11	
<i>Conviction</i> . Amendment 1828 - - -	2, 5	7, 3
<i>Corporate</i> bodies, rights of, preserved - -	8	2
<i>Corruption</i> in procuring office. Amendment 1828.		
<i>County Courts</i> . Prov. 7. - - -	1	21
<i>Courts</i> of Law and Equity, as established by legislature, ju- dicial power vested in -	3	1
“ “ “ Judges of, tenure of office, and compensation -	3	1
“ “ “ “ how elected -	6	1, 2
“ “ “ for Appeals. Amendment 1816	10	3
“ fees of, to be regulated. Prov. - -		4
“ County. Prov. 7 - - -	1	21
<i>Crimes</i> , high, subject of impeachment. Amendment 1828.		

D.

<i>Darlington</i> . Amendment 1808 - -	1	3, 7
<i>Days</i> of general election. Amendment 1808, Sec. 10. -	1	10, 22
“ of reading bills. Amendment 1808, Sec. 11. -	1	16
“ more than three, neither house shall adjourn without the consent of the other - -	1	19
“ notice of six, for bringing in a rejected bill -	1	20
“ not exceeding thirty, Governor may prohibit the expor- tation of provisions - -	2	9
<i>Death</i> of member, vacancy by, how filled - -	1	22
“ of Governor, or Lieutenant-Governor, who shall succeed	2	5

	Art.	Sec.
<i>Debate</i> , freedom of, how secured - - -	1	13
<i>Delegates</i> of the people, in convention. <i>Preamble</i> .		
<i>Depart</i> the State, if person chosen a member should. <i>See</i>		
<i>Absence</i> . - - - -	1	22
<i>Deputy</i> of Secretary of State and Surveyor General	10	2
<i>Dignity</i> of the State - - - -	3	3
<i>Disorderly</i> behaviour, each house may punish member for	1	12
<i>Disqualifying</i> office for member of the legislature. <i>See</i>		
<i>Office</i> . - - - -	1	22
<i>Disqualification</i> to hold office in case of impeachment. <i>Am.</i>		
1828 - - - -	5	3
<i>District</i> , a single election or judicial. <i>Amendment</i> 1828.		
<i>See Election District, and the names of the several Districts</i> .		

E.

<i>Edgefield</i> . <i>Amendment</i> 1808 - - -	1	3, 7
<i>Elected</i> . A. 1, S. 3; A. 1, S. 7; A. 1, S. 22; A. 2, S. 4, 5; A. 2, S. 10; A. 6, S. 1, 2. <i>Prov.</i> 2, 8. <i>See Chosen, Appointed, Nomination</i> .		
<i>Election</i> . A. 1, S. 4, 5, 6; A. 1, S. 8, 9; A. 1, S. 11; A. 1, S. 22; A. 2, S. 1; <i>Prov.</i> 7; <i>Amendments</i> 1808, S. 7; 1808, S. 10, 11; 1810.		
<i>Election Districts</i> . A. 1, S. 3, 4; A. 1, S. 6; A. 1, S. 8; A. 1, S. 22. <i>Amendments</i> 1808, S. 2, 6, 8, 9, 10, 1810, 1820; 1828.		
“ appointment amongst. <i>Amendments</i> 1808, 1820.	1	3, 7
“ to remain as established. <i>Amendments</i> 1808, S. 8, 9; 1820.		
“ in which citizens may vote - - -	1	4
“ neglecting to choose a member - - -	1	22
<i>Election</i> general. <i>Amendment</i> 1808, S. 7. -	1	10
“ new. <i>Amendment</i> 1808, S. 11. - -	11	2
“ <i>Writ</i> of - - - -	1	22
“ of members of House of Representatives. <i>Amend-</i> <i>ments</i> 1808, A. 1, S. 22; 1810. -	1	2,3,4,5,6
“ of Senators. <i>Amendments</i> 1808, S. 9, 10; 1810.	1	7, 8, 9, 22

	Art.	Sec.
<i>Election</i> of officers of either house - - -	1	12
“ of Governor and Lieutenant-Governor -	2	2, 3
“ of Judges, Treasurer, Secretary of State, and Surveyor General - - -	6	1
“ of Sheriffs, and other officers - -	6	2
“ of Justices of the Peace and Justices of the County Courts. Prov. - - -		7
“ of rotatory officers, at first meeting of the legislature. Prov. - - -		8
“ of its members, judged of by each house -	1	11
<i>Eligible</i> , who may be, to a seat in the House of Representatives - - -	1	6, 21, 23
“ who may be, as Senator - -	1	8, 21 23
“ “ as Governor or Lieutenant Governor	2	2
“ Treasurers, Secretary of State, Surveyor General, and Sheriffs not again, for four years. Prov. 8.	6	1, 2
“ Ministers of the Gospel not eligible to legislature, or office of Governor or Lieutenant Governor - - -	1	23
<i>Enumeration</i> of white inhabitants. Amendment 1808		2, 3
<i>Equity</i> , Courts of. Amendment 1816 - -	3, 10	1, 3
<i>Equitable</i> distribution of the estates of - -	10	5
<i>Estate</i> of member protected. <i>See Qualifications.</i> -	1	14
“ of societies preserved - - -	8	2
<i>Executive</i> authority vested in Governor - -	1	1
“ department, officers in, to give information to Governor, when required - -	2	11
<i>Exiled</i> - - - - -	9	2
<i>Expenses</i> of members - - - -	1	18
<i>Exportation</i> of provisions - - - -	2	9
<i>Ex post facto</i> law - - - -	9	2

F.

<i>Fairfield.</i> Amendment 1808 - - -	1	3, 7
<i>Fees</i> not to be taken by Judges - -	3	1
“ of Courts and officers, to be established. Prov. -		4

	Art.	Sec.
<i>Felony</i> , excepted from privilege against arrest -	1	14
<i>Fines</i> , Governor's power to remit - - -	2	7
" excessive, not to be imposed - - -	9	4
<i>Forfeitures</i> , Governors power to remit - - -	2	7
<i>Fork</i> between Broad and Saluda Rivers. Amendment 1808,		
S. 8. - - - - -	1	3
<i>Fractions</i> of population and taxes. Amendment 1808, S. 4, 6.		
<i>Freehold</i> as qualification of voter. Amendment 1810.	1	4
" " of member of House of Represent-		
atives - - - - -	1	6
" " of Senator - - - - -	1	8
" " of Governor - - - - -	2	2
" " of Lieutenant-Governor - - -	2	3
" " of freemen not to be disseized of	9	2
<i>Freeman</i> of this State - - - - -	9	2
<i>Free white man</i> . Amendment 1810. - - - - -	1	4, 6, 8

G.

<i>General Assembly</i> , Legislative authority vested in -	1	1
" " shall consist of Senate and House of Re-		
presentatives - - - - -	1	1
" " Governor shall give information &c. to	1	12
" " may be convened by the Governor -	2	13
<i>See Houses.</i>		
<i>Government</i> , seat of. Prov. 2. - - - - -	1	10
" free, founded on the authority of the people, &c.	9	1
" to be administered as before, &c. Prov. -		1
<i>Governor</i> , how and when chosen - - - - -	2	1
" qualifications of office - - - - -	2	2
" compensation of - - - - -	2	10
" shall not be re-eligible for four years - - -	2	2
" minister or preacher shall not be - - -	1	23
" member chosen, his seat vacated - - -	2	4
" shall hold no other office except in militia -	2	2

	Art.	Sec.
<i>Governor</i> , in case of impeachment, removal from office, death, resignation or absence from State, Lieut. Governor shall succeed - - -	2	5
“ may appoint a place for meeting of the Legislature, if unsafe to meet in Columbia -	1	10
“ shall be Commander-in-Chief, to what extent	2	6
“ his power as to pardons, and reprieves, and remission of fines, and forfeitures - -	2	7
“ shall take care that the laws be faithfully executed, in mercy - - -	2	8
“ his power as to prohibiting exportation of provisions - - - -	2	9
“ may require information from the officers in the Executive Departments - -	2	11
“ shall give information and recommend measures to the General Assembly - -	2	12
“ may convene the General Assembly -	2	13
“ may adjourn the two houses in case of disagreement, &c. - - -	2	13
“ liable to impeachment, for what. Amendment 1828	5	3
“ commissions shall be signed by - -	6	3
“ shall reside where the Legislature sits, when, &c.	10	4
“ shall have enumeration effected, if not made in the year appointed. Amendment 1808 -		3
<i>Greenville</i> . Amended 1808 - - -	1	3, 7

H.

<i>Hereditary</i> distinction - - -	9	5
<i>Honor</i> , office of. Amendment, 1828, S. 3 - -	5	3
<i>Horry</i> . See <i>Kingston</i> .		
<i>Houses</i> , General Assembly to consist of two -	1	1
“ qualifications of voters for a member of either -	1	4
“ shall each judge of the elections, qualifications and returns of its members - -	1	11
“ majority of each, a quorum, &c. - -	1	11
“ where they shall meet - - -	1	10

	Art.	Sec.
<i>Houses</i> , shall each choose its own officers, determine its rules of proceeding, punish members, expel, &c. -	1	12
“ shall each punish for contempt, when and how	1	13
“ members of both protected, extent of privilege -	1	14
“ bills for revenue, must originate in the House of Representatives—		
“ all others in either; all altered, amended or rejected, by either - - -	1	15
“ bills must be read three times in both; sealed and signed in the Senate house, to have the force of law	1	16
“ compensation of their members - -	1	18
“ neither shall adjourn more than three days, &c., without the consent of the other - -	1	20
“ bills rejected by either, shall not be brought in again without leave and notice - -	1	20
“ persons holding disqualifying offices, excluded from either - - -	1	21
“ vacancy in either, how created and filled -	1	22
“ ministers and preachers, excluded from -	1	23
“ jointly to choose Governor, in the House of Representatives - - -	2	1
“ member of either, chosen Governor, or Lieutenant-Governor - - -	2	4
“ nomination to office of Governor or Lieutenant Governor, in case of vacancy, made by the two -	2	5
“ in case of their disagreement as to the time of adjournment, may be adjourned by the Governor	2	13
“ may be convened by the Governor - -	2	13
“ to elect Judges and various officers, by joint ballot in the House of Representatives -	6	1
“ to meet the first Monday in January next, after the formation of the Constitution. Prov. -		2
“ two-thirds of the whole representation in both, necessary to call a convention - -	11	1
“ “ “ to alter the Constitution	11	1
“ “ “ to alter the amendments of 1808. Amendment 1808		11

	Art.	Sec.
<i>Houses</i> , two thirds of the whole, to pass joint resolution for removal of officers.		
Amended 1828 -		5
“ “ “ to change the Seat of Government -	1	10
“ “ “ two-thirds of both, in cases of impeachment -	5	1, 2
“ “ “ of either to expel a member	1	12
<i>See Legislature.</i>		
<i>House of Representatives</i> , a branch of the General Assembly	1	1
“ Its members, how chosen and for what time -	1	2
“ its members apportioned between the different election Districts.		
Amendment 1808 -	1	3
“ qualifications of its members, A. 1 S. 6; A. 1, S. 21, 23; A. 2, S. 4		
“ reading of bills, in -	1	15
“ bills for revenue must originate in	1	15
“ shall have sole power of impeaching	5	1
“ readings of bills to alter the Constitution, in -	11	2
“ readings of bills to alter the amendments of 1808, in. Amend. 1808		11
“ shall consist of 124 members, apportioned amongst the several districts, according to white population and taxes. Amend's., 1808.		
“ election districts for members of, to remain as established. Amendments 1808, S. 8; 1820.		
“ joint ballot for Governor, to be in	2	1
“ joint ballot for Judges and other officers, to be in -	6	1
<i>See Houses.</i>		

I.

	Art.	Sec.
<i>Impeachment</i> , how made - - - -	5	11
“ how tried - - - -	5	2
“ who may be liable to, and for what. Amend. 1828 - - - -	5	3
“ what judgment in case of, and what liability after conviction - - - -	5	3
“ of Governor or Lieutenant Governor, in case of, who shall succeed - - - -	2	5
“ cases of, excepted from Governor's power to grant reprieves and pardons - - - -	2	7
<i>Imprisoned</i> , freeman not to be unlawfully - - - -	9	2
<i>Imprisonment</i> , mode of punishing certain contempts - - - -	1	13
<i>Infirmity</i> , bodily or mental; office may be declared vacant for. Amendment 1828 - - - -		5

J.

<i>Judicial power</i> vested in such courts as the Legislature may establish - - - -	3	1
<i>Judges</i> shall hold commissions, during good behaviour - - - -	3	1
“ of the Superior Courts, shall receive a fixed compen- sation - - - -	3	1
“ “ “ shall receive no fees or per- quisites of office - - - -	3	1
“ “ “ shall hold no other office - - - -	3	1
“ “ “ shall be elected by joint ballot of both houses, in the House of Representatives - - - -	6	1
“ “ “ shall meet and sit at Colum- bia and Charleston for new trial, &c. Amendment 1816 - - - -	10	3
“ “ “ shall meet and sit, at times and places to be prescribed by the Legislature, for new trials, &c. Amendment 1816 - - - -		

				Art.	Sec.
<i>Judgment</i> , of peers	-	-	-	9	2
“ in cases of impeachment	-	-	-	5	3
“ arrest of	-	-	-	10	3
<i>Justices of the Peace, and of County Courts</i> , not excluded from					
			the Legislature	1	21
“ “ “			to be elected at first meeting		
			of the Legislature, Prov.		7
“ “ “			“ periods of of-		
			fice to be fixed, Prov.		7
<i>Jury</i> , trial by	-	-	-	9	6

K.

<i>Kershaw</i> . Amendment, 1808	-	-	-	1	3, 7
<i>Kingston</i> . Amendment, 1808	-	-	-	1	3, 7

L.

<i>Lancaster</i> . Amendment 1808	-	-	-	1	3, 7
<i>Laurens</i> . Amendment, 1808	-	-	-	1	3, 7
<i>Law of the land</i>	-	-	-	9	2
“ <i>ex post facto</i>	-	-	-	9	2
“ impairing the obligation of contracts	-	-	-	9	2
“ force of, when bills shall have	-	-	-	1	16
“ Courts of	-	-	-	1	1
“ points of, to be determined by Judges. Amendment 1816				10	3
“ manner and penalties for compelling attendance of absent members, may be provided by	-	-	-	1	11
“ compensation of members, may be increased or diminished by, if, &c.	-	-	-	1	18
“ unless otherwise directed by, Governor may remit fines,				2	7
“ punishment according to, party convicted on impeachment, liable to	-	-	-	5	3
“ until otherwise directed, officers appointed as before, &c.				6	2
“ fees to be regulated by. Prov.	-	-	-		4

	Art.	Sec
<i>Law</i> , periods of commission of the Peace, to be declared by, Prov. - - - - -		7
“ manner of enumeration, to be directed by. Amend- ment 1808 - - - - -		2
<i>Laws</i> to be faithfully executed in mercy, by Governor	2	8
“ of force, to continue, &c. - - - - -	7	
“ for abolition of rights of primogeniture - - - - -	10	5
“ existing, Prov. - - - - -		2
“ the revising, digesting and publishing of, to be provided for. Prov. - - - - -		6
<i>See Act: Houses.</i>		
<i>Legislative</i> authority, vested in General Assembly -	1	1
<i>Legislature.</i> A. 1, S. 14; A. 1, S. 18; A. 1, S. 21; A. 7; A. 10, S. 4; A. 11, S. 2; Amendments 1808 S. 2, 3, 11; 1810, 1816, 1820, 1828. Prov. 1, 2, 6, 7, 8.		
“ shall make no alteration in compensation of its members, to take effect during its existence	1	18
“ shall not increase or diminish compensation of Governor, during his term of office -	2	10
“ shall not increase or diminish compensation of Judges, during their continuance in office	3	1
“ restrictions upon, as to liberty of conscience	8	1
“ “ rights of religious societies and corporate bodies	8	2
“ power and rights of the people -	9	1
“ “ rights of freeman - - - - -	9	2
“ shall pass no bill of attainder, <i>ex post facto</i> law, or law impairing the obligation of contracts	9	2
“ shall grant no title of nobility, or hereditary dis- tinction, nor create any office for longer time than during good behaviour - - - - -	9	5
“ shall not violate the trial by jury, or the liberty of the press - - - - -	9	6
“ may direct and establish courts - - - - -	3	1
“ shall pass laws for abolishing the rights of pri- mogeniture, &c. - - - - -	10	5

	Art.	Sec.
<i>Legislature</i> may provide for appointment, tenure and removal of officers, whose authority is limited to a single district, &c. Amendment 1828 -		4
“ may declare office vacant for infirmity, &c. Amendment, 1828 - -		5
“ should regulate fees. Prov. - -		4
“ should provide for settlement of the accounts of Treasurers. Prov. - -		5
“ should provide for revising, digesting, and publishing the laws of this State. Prov. -		6
“ shall proceed to election of Justices of Peace &c. Prov. - - -		7
<i>See Houses : Law.</i>		
<i>Lexington.</i> See <i>Saxe Gotha.</i> Amendments 1808 -		8
<i>Liberty.</i> Amendments 1808. - - -	1	3, 7
<i>Liberty</i> of conscience - - -	8	1
“ of the press - - -	9	6
“ of freeman secured - - -	9	2
<i>Lieutenant-Governor</i> chosen, continue, and be qualified as Governor - - -	2	3
“ shall succeed to office of Governor, when -	2	5
“ who shall succeed to his office, in certain cases - - -	2	5
“ a member chosen, his seat vacated -	2	4
“ minister or preacher shall not be -	1	23
“ liable to impeachment, for what. Am. 1828. - - -	5	3
<i>Life</i> secured - - -	9	2
<i>Lot</i> , Senators divided into classes, by. Amendment 1808,		
S. 10 - - -	1	9

M.

<i>Magna Charta</i> - - -	9	2
<i>Marion.</i> See <i>Liberty.</i>		
<i>Marlborough</i> , - - -	1	3, 7

	Art.	Sec.
<i>Meeting</i> of Judges. Amendment 1816. - - -	10	3
“ of Senate and House of Representatives - - -	1, 2	10, 1
“ of Legislature. Prov. - - -		1, 7, 8
<i>Mercy</i> , laws to be executed in - - -	2	8
<i>Military</i> subordinate to civil power - - -	9	3
<i>Militia of this State</i> , office in, not to disqualify a member of the Legislature - - -	1	21
“ office in, Governor may hold - - -	2	2
“ Governor shall be Commander-in-Chief of, except when called into the actual service of the United States - - -	2	6
<i>Minister</i> of the Gospel shall not be eligible to the office of Governor or Lieutenant-Governor, or to a seat in the Legislature - - -	1	23
<i>Misdemeanor</i> in office. Amendment 1828 - - -	5	3
<i>Misbehaviour in office.</i> Amendment 1828		
<i>Misconduct, official.</i> Amendment 1828		
<i>Money</i> not to be drawn from the Treasury, without legisla- tive authority - - -	1	17

N.

<i>Navy</i> of this State - - -	1, 2	21, 6
<i>Negroes</i> , as qualification for member of House of Representa- tives - - -	1	6
<i>Newberry.</i> Amendments 1808. - - -	1	3, 7
<i>Nobility</i> - - -	9	5
<i>Nomination</i> to offices of Governor and Lieutenant-Governor	1	5
<i>Notice</i> of six days for bringing in rejected bill - - -	1	20
<i>Number</i> of Representatives to be elected by each district. Amendments 1808. - - -	1	3
“ of Legislature. Amendments, 1808 - - -	1	7
“ of members of which the House of Representatives shall consist. Amendment, 1808 - - -		2
“ for quorum of either house - - -	1	11
“ smaller, may adjourn, compel attendance of absent members, &c. - - -	1	11

Number of white inhabitants, in apportioning Representatives.

Amendments 1808.

“ which shall concur, in various cases. *See Houses.*

O.

<i>Oath</i> may be required from voter	-	-	1	5
“ of all persons appointed to office of profit or trust. Am. 1834.	-	-	4	
“ Senator shall be on, in trial of impeachment	-		5	2
<i>See Qualify.</i>				
<i>Office</i> , what shall exclude from the legislature	-		1	21
“ no other, Governor shall hold, except in militia	-		2	2
“ no other, Judge shall hold	-		3	1
“ none, longer than good behaviour	-		9	5
“ misdemeanor in, or corruption in procuring. Amen. 1828				
“ of honor. Amendment 1828	-	-	5	3
“ of profit or trust. Amendment 1828, S. 3.			1, 5, 3, 4	21, 3, 1
“ fees of, to be regulated. Prov.	-	-		4
<i>Officers</i> of either House, to be chosen by ballot	-	-	1	12
“ liable to impeachment. Amendment 1828	-		5	3
“ whose authority is limited to a single district, &c. Am. 1828.				
“ disabled by infirmity, may be removed, how. Am. 1828.				
“ returning, may prove voter, how	-	-	1	4
“ in executive department, to give information, to Governor	-	-	2	11
“ rotatory, may be re-elected at first meeting of legislature. Prov.	-	-		8
“ non-commissioned, of the Army of the United States, cannot vote. Amendment 1820.				
“ what, shall be elected by the legislature. Am. 1828, Prov. 7. A. 6, S. 1, 2; A. 2, S. 1, 3; A. 1, S. 12				
“ how other officers shall be appointed. Amendment 1828.	-	-	6	2
<i>See Governor, Judges, Treasurers, Secretary, Sheriffs, Justices.</i>				
<i>Orange.</i> Amendments 1808.	-	-	1	3, 7

						Art.	Sec.
<i>Order</i>	-	-	-	-	-	1	12, 13
<i>Ordinance</i>	-	-	-	-	-	1	15, 20
<i>Outlawed</i>	-	-	-	-	-	9	2

P.

<i>Pardons</i> , granted by Governor, how, &c.	-	-				2	7
<i>Paupers</i> cannot vote. Amendment 1810.							
<i>Pay</i> . See <i>Compensation</i> .							
<i>Peace</i> , breach of, excepted from privilege	-	-				1	14
“ and dignity of the same	-	-	-			3	3
“ of State	-	-	-	-		8	1
“ of people	-	-	-	-		9	1
“ Justices of. Prov. 7.	-	-	-	-		1	21
<i>Pendleton</i> . Amendments 1808; 1820	-	-				1	3, 7
<i>Peers</i>	-	-	-	-	-	9	2
<i>People</i> , delegates of, in convention. Preamble.						11	
“ power in, and government for	-	-				9	1
<i>Persons</i> protected, of member, witness, or person ordered to attend either House	-	-	-			1	13, 14
<i>Perquisites</i> of office, Judges shall receive none	-					3	1
<i>Place</i> for meeting of the legislature. Prov. 2.	-	-				1	10
“ of sitting, cannot be changed by one house	-					1	19
“ of voting for members of the legislature	-	-				1	4, 7
“ for residence of Governor	-	-				10	4
“ for meeting of the Judges. Amendment 1816.	-	-				10	3
“ for offices of Surveyor General and Secretary of State, and Treasurers	-	-	-			10	1, 2
“ of ratification of acts	-	-	-			1	16
“ for joint balloting	-	-	-			2, 6	1, 1
<i>Population</i> in apportioning representation. Amendment 1808							6
<i>Power</i> , other, office under	-	-	-			1, 2, 3	21, 2, 1
“ in people	-	-	-	-		9	1
“ military subordinate to civil	-	-	-			9	3
<i>Preachers</i>	-	-	-	-		1	23
<i>President of the Senate</i> , how elected	-	-				1	12
“ “ must sign Acts	-	-	-			1	16

	Art.	Sec.
<i>President of the Senate</i> , when to issue writ of election	1	22
“ “ shall succeed to the office of Lieut. Governor	2	5
<i>Prince George.</i> See <i>Winyaw</i> .		
<i>Prince William.</i> Amendments 1808	1	3, 7
<i>Privileges</i> of members	1	14
“ of societies and corporate bodies	8	2
“ of freeman	9	2
<i>Process</i> , style of	3	2
<i>Proclamation</i> of Governor	1	10
<i>Profit</i> , offices of. Amendment 1828, S. 3	1, 3, 4, 5	21, 1, 3
<i>Property</i> secured. See <i>Qualifications</i> .	9	2
<i>Prosecutions</i> , in what name, and how concluded	3	2
<i>Protection</i> of witness, or person ordered to attend either house	1	13
“ of member, in person and estate	1	13, 14
“ of freeman	9	2
<i>Provisions</i> , exportation of, prohibited by Governor	2	9
<i>Publication</i> of bills to alter the Constitution. Am. 1808, S. 11	11	2
<i>Punishment</i> of members by either House	1	12
“ of contempts	1	13
“ cruel, not to be inflicted	9	4

Q.

<i>Qualify</i> , if person chosen a member refuses to	1	22
<i>Qualified</i> , in oath of office. Amendment 1834.	4	
<i>Qualifications</i> of voter for member of either House. Am. 1810	1	4
“ of Representative. A. 1, S. 6; A. 1, S. 21, 22, 23; A. 2, S. 4.		
“ of Senator, A. 1, S. 8; A. 1, S. 21, 22, 23; A. 2, S. 4.		
“ of Governor	2	2
“ of Lieutenant-Governor	2	3
“ of members, to be judged of by each House	1	11
<i>Quorum</i> , a majority of either House	1	11
“ number less than, may adjourn, &c.	1	11

R.

	Art.	Sec.
<i>Ratification</i> of Acts " - - - -	1	16
<i>Readings</i> of bills - - - -	1	16
" of bills to alter the Constitution -	11	2
" of bills to alter the amendments of 1808. Am. 1808		11
<i>Receipt</i> for taxes - - - -	1	5
<i>Refusal</i> to qualify - - - -	1	22
<i>Rejected</i> , bill may be in either - - - -	1	15
" bill, how brought in again - - - -	1	20
<i>Religious</i> profession without discrimination - - - -	8	1
" societies, rights preserved - - - -	8	2
" persuasion, preacher of any, excluded from Legis- lature - - - -	1	23
<i>Removal</i> from office of Governor or Lieutenant-Governor	1	23
" upon impeachment. Amen. 1828, S. 3 -	5	3
" of district officers, may be provided for. Am. 1828		4
" of officers for infirmity. Am. 1828 -		5
<i>Repealed.</i> - - - -	7	
<i>Representation</i> , apportioned. Amend. 1808 -	1	3, 7
<i>Representatives.</i> (<i>See House of Representatives.</i>)		
<i>Reprieves</i> , Governor's power to grant - - - -	2	7
<i>Rescue</i> of person arrested by order of either House -	1	13
<i>Residence</i> of voter. Amend. 1810. - - - -	1	14
" of Representative - - - -	1	6
" of Senator - - - -	1	8
" of Governor, before election - - - -	2	2
" of Lieutenant Governor - - - -	2	3
" of Governor during his term - - - -	10	4
" of Treasurers - - - -	10	1
" of Secretary of State and Surveyor Generals	10	2
<i>Resignation</i> of Governor or Lieutenant-Governor -	2	5
<i>Resolution</i> , joint. Amend. 1828.		
<i>Returns</i> of Members, each House shall judge of -	1	11
<i>Returning</i> officer may prove voter - - - -	1	5
<i>Revenue</i> , bills for - - - -	1	15
<i>Richland.</i> Amend. 1808 - - - -	1	3, 7
<i>Rights</i> , declaration of - - - -	9	

	Art.	Sec.
<i>Rights</i> of primogeniture - - - -	10	5
“ of societies and corporate bodies shall remain	8	2
<i>Rotatory</i> officers. Prov. - - - -		8
<i>Rules</i> of proceeding, each House to determinc - - -	1	12

S.

<i>Safety</i> of State - - - -	8	2
“ of people - - - -	9	1
<i>Salaries</i> , will exclude Justices from the Legislature -	1	22
<i>See Compensation.</i>		
<i>Saxe-Gotha.</i> Amend. 1808 - - - -	1	3, 7
<i>Seal</i> , great, to be affixed to acts - - -	1	16
“ of State, commissions to be sealed with - - -	6	3
<i>Secretary</i> of State, how elected and term of office -	6	1
“ “ not re-eligible - - - -	6	1
“ “ to keep office in Columbia and Charleston	10	2
<i>Senate</i> , branch of the General Assembly - - -	1	1
“ members, how chosen, and for what time -	1	4
“ members apportioned between Districts, &c. Amend.		
1808, S. 9. - - - -	1	7
“ qualification of members. A. 1, S. 8; A. 1, S. 21,		
23; A. 2, S. 4. - - - -		
“ divided into classes. Amend. 1808, S. 10 -	1	9
“ seats of certain Senators vacated. Amend. 1808.		10
“ power over bills for revenue and other bills -	1	15
“ shall try all impeachments, and how - - -	5	2
<i>Senate</i> , readings in, of bills, - - - -	1	16
“ readings in, of bills to alter the Constitution, -	11	2
“ readings in, of bills to alter amendments of 1808.		
Amend. 1808 - - - -		11
“ shall be composed of one member from each election		
District, except St. Philips's and St. Michael's, two.		
Amend. 1808 - - - -		11

See Houses.

<i>Senate House</i> : bills to be signed in - - -	1	16
---	---	----

	Art.	Sec.
<i>Style of process</i> - - - -	3	2
<i>Surveyor General</i> , how elected and term of office -	6	1
“ “ not re-eligible - -	6	1
“ “ to keep offices in Columbia and Charleston	10	2

T.

<i>Taxes</i> , as qualification for voter. Amendment 1810 -	1	4
“ receipt for, may be required from voter -	1	5
“ in apportioning representatives. Amendments 1808		
<i>Term of Office</i> , of Representatives - -	1	2, 22
“ “ Senators - - -	1	7, 22
“ “ Governor - - -	2	1
“ “ Lieutenant-Governor - -	2	3
“ “ Judges. Amendment 1828, S. 4 -	3	1
“ “ Treasurers, Secretary of State and Surveyor General - -	6	1
“ “ Sheriffs. Amendment 1828, S. 4 -	6	2
“ “ District officers. Amend. 1828, S. 4	6	2
“ “ none longer than during good behaviour	9	5
<i>Threat of harm to member</i> , when and how punished -	1	13
<i>Time of general election</i> - - -	1	10
“ for annual meeting of the Legislature - -	1	10
“ of members, privilege - - -	1	14
“ for first meeting of the Legislature. Prov. -		2
“ for publishing bill for alteration of Constitution. Amendments 1808, S. 11 - -	11	2
“ for census or enumeration. Amendments 1808 -		2
“ for meeting of the Judges. Amendment 1816	10	3
“ to which Governor may adjourn Houses -	2	13
“ for which election in case of vacancy of seat shall be held	1	22
“ for which President of Senate shall succeed to Lieutenant-Governor - - -	2	5
<i>See Days : Residence : Term.</i>		
<i>Title of nobility</i> - - - -	9	5
<i>Town lot</i> , as qualification for voter. Amendment 1810	1	4
<i>Treason</i> , not privileged from arrest - -	1	142

	Art.	Sec.
<i>Treasurers</i> , or Commissioners of the Treasury, how elected		
and term of office - - -	6	1
" not re-eligible - - -	6	1
" one in Columbia and other in Charleston -	10	1
" to take a balance of the Treasury books. Prov.		3
" annual and final settlement of accounts. Prov.		5
<i>Treasury</i> , how money shall be drawn from - -	1	17
" compensation of members, from -	1	18
" business to be conducted by two Treasurers -	10	1
<i>Trial</i> of impeachments - - -	5	2
" by jury - - -	9	6
" new. Amendment 1816 - - -	10	3
<i>Two-thirds.</i> See <i>Houses</i> .		

U.

<i>Union.</i> Amendments. 1808 - - -	1	3, 7
<i>United States</i> , office under, excludes from Legislature	1	22
" " Governor shall not hold -	2	2
" " Judge shall not hold -	3	1
" " militia called into actual service of, Governor shall not command	2	6
" " constitution of, oath to defend. Amend. 1834 -	4	
" " independence of. <i>Conclusion</i> .		
" " non-commissioned officers and sol- diers of army not to vote. Amendment 1820.		

V.

<i>Vacancy in seat</i> , for disqualifying office - -	1	21
" " how created and filled - -	1	22
<i>Vacant</i> , office declared, for infirmity. Amendment 1828		
" seats of certain Senators declared. Amendments, 1808		10

			Art.	Sec.
<i>White</i> inhabitants.	Amendments 1808, S. 1, 3.	<i>See free</i>		
<i>white man.</i>				
<i>Williamsburg.</i>	Amendments 1808	- -	1	3, 7
<i>Winton.</i>	Amendments 1808	- - -	1	3, 7
<i>Winyaw.</i>	Amendments 1808	- - -	1	3, 7
<i>Witness</i> attending either house, protected		- -	1	13
<i>Writ</i> of election, when and how issued		- -	1, 2	22, 4

Y.

<i>Year.</i>	<i>See age.</i>	<i>Residence.</i>	<i>Term.</i>	<i>Time.</i>		
<i>York.</i>	Amendments 1808		- - -	1	3, 7	

THE CONSTITUTION

OF

THE UNITED STATES OF AMERICA.

THE CONSTITUTION

OF

THE UNITED STATES OF AMERICA.

WE, the people of the United States, in order to form a more perfect union, Preamble.
establish justice, ensure domestic tranquility, provide for the common defence,
promote the general welfare, and secure the blessings of liberty, to ourselves
and our posterity, do ordain and establish this Constitution, for the United
States of America.

ARTICLE I.

SECTION I.

LEGISLATIVE POW-
ERS.

All legislative powers herein granted, shall be vested in a Congress of the Congress.
United States, which shall consist of a Senate and House of Representatives.

SECTION II.

House of Represen-
tatives.

1. The House of Representatives shall be composed of members chosen Members, how cho-
sen :
every second year, by the people of the several States, and the electors in each
State, shall have the qualifications requisite for electors of the most numerous
branch of the State Legislature. Qualifications of
voters.

2. No person shall be a Representative, who shall not have attained to the Qualifications of
members.
age of twenty-five years, and been seven years a citizen of the United States,
and who shall not, when elected, be an inhabitant of that State in which he
shall be chosen.

Apportionment of Representatives.	3	Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined, by adding the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand, but each State shall have at least one Representative ; and until such enumeration shall be made, the State of <i>New-Hampshire</i> shall be entitled to choose three ; <i>Massachusetts</i> , eight ; <i>Rhode Island</i> and <i>Providence Plantations</i> , one ; <i>Connecticut</i> , five ; <i>New York</i> , six ; <i>New Jersey</i> , four ; <i>Pennsylvania</i> , eight ; <i>Delaware</i> , one ; <i>Maryland</i> , six ; <i>Virginia</i> , ten ; <i>North Carolina</i> , five ; <i>South Carolina</i> , five ; and <i>Georgia</i> , three.
Federal members.		
Census.		
Vacancies in House.	4.	When vacancies happen in the representation from any State, the Executive authority thereof, shall issue writs of election to fill such vacancies.
Officers.	5.	The House of Representatives shall choose their Speaker and other officers ; and shall have the sole power of impeachment.

Senate.

SECTION III.

How chosen :	1.	The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six years ; and each Senator shall have one vote.
Vote. See Art. 5.] Senators classed.	2.	Immediately after they shall be assembled, in consequence of the first election, they shall be divided, as equally as may be, into three classes. The seats of the Senators of the first class, shall be vacated at the expiration of the second year ; of the second class, at the expiration of the fourth year ; and of the third class, at the expiration of the sixth year ; so that one-third may be chosen every second year ; and if vacancies happen, by resignation or otherwise, during the recess of the Legislature of any State, the executive thereof may make temporary appointments, until the next meeting of the Legislature, which shall then fill such vacancies.
Vacancies in Senate		
Qualifications of Senators.	3.	No person shall be a Senator, who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.
Vice-President vote	4.	The Vice-President of the United States, shall be President of the Senate, but shall have no vote, unless they be equally divided.

5. The Senate shall choose their other officers, and also a President pro- Other officers.
tempore, in the absence of the Vice-President, or when he shall exercise the
office of President of the United States.

6. The Senate shall have the sole power to try all impeachments: when Impeachments.
sitting for that purpose, they shall be on oath or affirmation. When the Presi-
dent of the United States is tried, the Chief Justice shall preside: and no Trial.
person shall be convicted, without the concurrence of two-thirds of the members
present.

7. Judgment, in cases of impeachment, shall not extend farther than to Judgment.
removal from office, and disqualification to hold and enjoy any office of honor,
trust, or profit, under the United States; but the party convicted shall, never-
theless, be liable and subject to indictment, trial, judgment, and punishment,
according to law.

SECTION IV.

1. The times, places, and manner of holding elections for Senators and Elections:
Representatives, shall be prescribed in each State, by the legislature thereof; Legislature and Congress.
but the Congress may, at any time, by law, make or alter such regulations,
except as to the places of choosing Senators.

2. The Congress shall assemble at least once in every year, and such meet- Annual meeting:
ing shall be on the first Monday in December, unless they shall, by law, appoint Day.
a different day.

SECTION V.

Houses severally.

1. Each House shall be the judge of the elections, returns, and qualifications, To judge.
of its own members, and a majority of each, shall constitute a quorum to do Quorum.
business; but a smaller number may adjourn from day to day, and may be
authorized to compel the attendance of absent members, in such manner, and,
under such penalties, as each House may provide.

2. Each House may determine the rules of its proceedings, punish it mem- Rules.
bers for disorderly behaviour, and, with the concurrence of two-thirds, expel a Punish.
member. Expel.

3. Each House shall keep a journal of its proceedings, and from time to Journals.
time publish the same, excepting such parts as may, in their judgment, require
secrecy, and the yeas and nays of the members of either House, on any question, Yeas and Nays,
shall, at the desire of one-fifth of those present, be entered on the journal.

Adjournment.

4. Neither House, during the Session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

Members.

SECTION VI.

Compensation.

The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the Treasury of the United States. They shall, in all cases except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place.

Privileges.

Office.

2. No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States, shall be a member of either House, during his continuance in office.

SECTION VII.

Bills.

1. All bills for raising revenue, shall originate in the House of Representatives, but the Senate may propose, or concur with, amendments, as on other bills.

Qualified veto of President.

2. Every bill which shall have passed the House of Representatives and the Senate, shall, before it become a law, be presented to the President of the United States; if he approve, he shall sign it, but if not, he shall return it, with his objections, to that House in which it shall have originated, who shall enter the objections at large on their journal, and proceed to re-consider it.

Proceedings after his objections.

If, after such re-consideration, two-thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be re-considered, and if approved by two-thirds of that House, it shall become a law. But in all such cases, the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill, shall be entered on the journal of each House respectively. If any bill shall not be returned by the President, within ten days, (Sundays excepted,) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress, by their adjournment, prevent its return, in which case it shall not be a law.

3. Every order, resolution, or vote, to which the concurrence of the Senate and House of Representatives may be necessary, (except on a question of adjournment,) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or, being disapproved by him, shall be re-passed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

Every order, resolution, &c., as bill.

SECTION VIII.

1. The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

POWERS OF CONGRESS.

Uniform.

2. To borrow money on the credit of the United States;

Borrow money.

3. To regulate commerce with foreign nations, and among the several States, and with the Indian tribes;

Commerce.

4. To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;

Naturalization, &c.

5. To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

Coin, &c.

6. To provide for the punishment of counterfeiting the securities and current coin of the United States;

Counterfeiting.

7. To establish post offices and post roads;

Post Offices, &c.

8. To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries;

Science and Arts.

9. To constitute tribunals inferior to the supreme court;

Courts.

10. To define and punish piracies and felonies committed on the high seas, and offences against the law of nations;

Piracies.

11. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land or water;

War, &c.

12. To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;

Armies.

13. To provide and maintain a navy;

Navy.

14. To make rules for the government and regulation of the land and naval forces;

Rules for forces.

15. To provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions;

Militia.

Reservation to State.

16. To provide for organizing, arming, and disciplining, the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress;

Exclusive legislation over 10 miles.

17. To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the Legislature of the State in which the same shall be, for the erection of

Places for forts, &c.

forts, magazines, arsenals, dock-yards, and other needful buildings; And

Laws necessary and proper.

18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or office thereof.

SECTION IX.

EXPRESS PROHIBITIONS.

Upon Congress.
Importation of persons before 1808.
See Art. 5.

1. The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress, prior to the year eighteen hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

Tax.

Habeas Corpus.

Upon all the authorities of the General Government.
Attainder
Ex post facto.
Direct taxes and census. See Art. 1
Sec. 2 Art. 5.

2. The privilege of the writ of *Habeas Corpus* shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

3. No bill of attainder or ex post facto law shall be passed.

4. No capitation, or other direct tax, shall be laid, unless in proportion to the census or enumeration herein before directed to be taken.

No exportation duty.

5. No tax or duty shall be laid on articles exported from any State.

No preference between ports.
Vessels bound, &c.

6. No preference shall be given by any regulation of commerce or revenue, to the ports of one State over those of another; nor shall vessels bound to, or from, one State, be obliged to enter, clear, or pay duties in another.

Public monies, appropriation and account.

7. No money shall be drawn from the Treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

Title of nobility,

8. No title of nobility shall be granted by the United States: and no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign State.

Present, &c., from foreign power.

SECTION X.

EXPRESS PROHIBITIONS.

1. No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make any thing but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility. *Upon the States.*

2. No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws: and the nett produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and control of the Congress. *Without the consent of Congress*
—
Duties by State.
inspection laws.

3. No State shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war, in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II.

SECTION I.

EXECUTIVE POWER.

1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice-President, chosen for the same term, be elected as follows: *President.*
Term.

2. Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State shall be entitled in the Congress: but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector. *Electors.*

3. The electors shall meet in their respective States, and vote by ballot, for two persons, of whom one at least shall not be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit, sealed, to the seat of the government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number *Proceedings.*

Amended. See Am. Art. 12. of votes shall be the President, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose, by ballot, one of them for President; and if no person have a majority, then from the five highest on the list, the said House shall, in like manner, choose the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors, shall be the Vice President. But if there should remain two or more who have equal votes, the Senate shall choose from them, by ballot, the Vice-President.

Time of choosing. 4. The Congress may determine the time of choosing the electors, and the
Day of voting. day on which they shall give their votes; which day shall be the same throughout the United States.

Qualifications of President. 5. No person, except a natural born citizen or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained the age of thirty-five years, and been fourteen years a resident within the United States.

Vacancies provided for. 6. In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President, and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President, and Vice-President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

Compensation. 7. The President shall, at stated times, receive for his services, a compensation, which shall neither be increased or diminished during the period for which he shall have been elected, and he shall not receive within that period, any other emolument from the United States, or any of them.

8. Before he enter on the execution of his office, he shall take the following oath or affirmation:

Oath of office. "I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect and defend the Constitution of the United States."

SECTION II.

POWERS OF PRESIDENT.

1. The President shall be commander-in-chief of the army and navy of the United States, and of the militia of the several States, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to duties of their respective offices; and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.

Commander-in-Chief.

Executive Department.

Pardons.

2. He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the supreme court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law: But the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments.

Treaties.

Nomination and appointment of officers.

Inferior officers.

3. The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions, which shall expire at the end of their next session.

Vacancies in recess.

SECTION III.

DUTIES OF PRESIDENT.

1. He shall, from time to time, give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both Houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

Recommend.

Convene Houses.

Adjourn.

Receive Ambassadors.

Laws Execute.

Commissions.

SECTION IV.

REMOVAL ON IMPEACHMENT.

2. The President, Vice-President and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors,

Who liable to and for what.

JUDICIAL POWER.

ARTICLE III.

SECTION I.

Courts.

3 The judicial power of the United States, shall be vested in one Supreme Court, and in such inferior courts as the Congress may, from time to time, ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behaviour; and shall, at stated times, receive for their services, a compensation which shall not be diminished during their continuance in office.

Judges: tenure and compensation.

JURISDICTION OF U. STATES COURT.

SECTION II.

Nature of the matter.

1. The judicial power shall extend to all cases in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority: to all cases affecting ambassadors, other public ministers and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more States; between a State and citizens of another State; between citizens of different States; between citizens of the same State, claiming lands under grants of different States; and between a State, or the citizens thereof, and foreign States, citizens or subjects.

Character of the party.

Supreme Court, original and appellate.

2. In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations, as the Congress shall make.

Jury trial of Crimes:

3. The trial of all crimes, except in cases of impeachment, shall be by jury, and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

SECTION III.

TREASON.

1. Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort.

No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession, in open court.

2. The Congress shall have power to declare the punishment of treason; but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted.

ARTICLE IV.

SECTION I.

BETWEEN THE
STATES.

Full faith and credit shall be given in each State, to the public acts, records, and judicial proceedings of every other State. And the Congress may, by general laws, prescribe the manner in which such acts, records and proceedings, shall be proved, and the effect thereof.

Acts, records, &c.
accredited.

SECTION II.

1. The citizens of each State, shall be entitled to all privileges and immunities of citizens in the several States.

Citizens' privileges.

2. A person charged in any State, with treason, felony, or other crime, who shall flee from justice, and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

Persons charged
with crimes, fleeing.

3. No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up, on claim of the party to whom such service or labor may be due

Persons held to ser-
vice, escaping.

SECTION III.

1. New States may be admitted, by the Congress, into this Union; but no new State shall be formed or erected, within the jurisdiction of any other State, nor any State be formed by the junction of two or more States, or parts of States, without the consent of the legislature of the States concerned, as well as of the Congress.

New States.

Territory or prop-
erty of U. States.

Claims preserved.

2. The Congress shall have power to dispose of, and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular State.

SECTION IV.

Guaranty of Re-
publican form, and
protection.

The United States shall guaranty to every State in this Union, a Republican form of Government, and shall protect each of them against invasion; and, on application of the legislature, or of the executive, (when the legislature cannot be convened,) against domestic violence.

ARTICLE V.

Amendments.

Restrictions.

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution; or, on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; *Provided*, That no amendment which may be made prior to the year one thousand eight hundred and eight, shall in any manner affect the first and fourth clauses in the ninth section of the first article: and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

ARTICLE VI.

Former obligations
of the U. States
maintained.

Supreme Law.

1. All debts contracted, and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States, under this Constitution, as under the Confederation.

2. This Constitution, and the laws of the United States, which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the

Judges in every State shall be bound thereby; any thing in the constitution or laws of any State to the contrary notwithstanding.

3. The Senators and Representatives before mentioned, and the members of the several State Legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation, to support this Constitution: but no religious test shall ever be required as a qualification to any office or public trust under the United States.

Oath to support
this constitution.

ARTICLE VII.

1. The ratification of the conventions of nine States, shall be sufficient for the establishment of this Constitution, between the States so ratifying the same.

Ratification to es-
tablish constitution.

Done in Convention, by the unanimous consent of the States present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the Independence of the United States of America, the twelfth. In witness whereof, we have hereunto subscribed our names.

Conclusion.

GEORGE WASHINGTON,
President, and Deputy from Virginia.

New Hampshire.

John Langdon,
Nicholas Gilman.

Massachusetts.

Nathaniel Gorham,
Rufus King.

Connecticut.

William Samuel Johnson,
Roger Sherman.

New York.

Alexander Hamilton.

Delaware.

George Reed,
Gunning Bedford, Jun.,
John Dickinson,
Richard Bassett,
Jacob Broom.

Maryland.

James M'Henry,
Daniel of St. Thomas Jenifer,
Daniel Carrol.

New-Jersey.

William Livingston,
David Brearly,
William Patterson,
Jonathan Dayton.

Pennsylvania.

Benjamin Franklin,
Thomas Mifflin,
Robert Morris,
George Clymer,
Thomas Fitzsimons,
Jared Ingersoll,
James Wilson,
Gouverneur Morris.

Attest,

Virginia.

John Blair,
James Madison, Jun.

North-Carolina.

William Blount,
Richard Dobbs Spaight,
Hugh Williamson.

South-Carolina.

John Rutledge,
Charles Cotesworth Pinckney,
Charles Pinckney,
Pierce Butler.

Georgia.

William Few.
Abraham Baldwin.

WILLIAM JACKSON,

Secretary.

IN CONVENTION.

MONDAY, SEPTEMBER, 17TH, 1787.

Provisional recom-
mendation.

Present—The State of New Hampshire, Massachusetts, Connecticut, Mr Hamilton, from New York, New Jersey, Pennsylvania, Delaware, Maryland Virginia, North Carolina, South Carolina, and Georgia.

Resolved, That the preceding Constitution be laid before the United States in Congress assembled, and that it is the opinion of this Convention, that it should afterwards be submitted to a Convention of delegates, chosen in each State, by the people thereof, under the recommendation of its Legislature, for their assent and ratification; and that each Convention assenting to, and ratifying the same, should give notice thereof to the United States, in Congress assembled.

Resolved, That it is the opinion of this Convention, that, as soon as the Convention of nine States shall have ratified this Constitution, the United

States, in Congress assembled, should fix a day on which electors should be appointed by the States which shall have ratified the same, and a day on which electors should be assembled to vote for the President, and the time and place for commencing proceedings under this Constitution. That after such publication, the electors should be appointed, and the Senators and Representatives elected: That the electors should meet on the day fixed for the election of the President, and should transmit their votes certified, signed, sealed, and directed, as the Constitution requires, to the Secretary of the United States, in Congress assembled, that the Senators and Representatives should convene at the time and place assigned; that the Senators should appoint a President of the Senate, for the sole purpose of receiving, opening, and counting the votes for the President; and, that after he shall be chosen, the Congress, together with the President, should, without delay, proceed to execute this Constitution.

By the unanimous order of the Convention,

GEO. WASHINGTON,

President.

W. JACKSON, *Secretary.*

IN CONVENTION.

SEPTEMBER 17TH, 1787.

SIR: We have now the honor to submit to the consideration of the United States, in Congress assembled, that Constitution which has appeared to us the most advisable.

Report from the Convention, to the Congress of the Confederation.

The friends of our country have long seen and desired, that the power of making war, peace, and treaties; that of levying money, and regulating commerce, and the correspondent executive and judicial authorities, should be fully and effectually vested in the general government of the Union; but the impropriety of delegating such extensive trust, to one body of men, is evident—hence results the necessity of a different organization.

It is obviously impracticable in the federal government of these States, to secure all rights of independent sovereignty to each, and yet provide for the interest and safety of all. Individuals entering into society, must give up a share of liberty to preserve the rest. The magnitude of the sacrifice must depend, as well on situation and circumstances, as on the object to be obtained.

It is at all times difficult to draw, with precision, the line between those rights which must be surrendered, and those which may be reserved; and on the present occasion, this difficulty was increased by a difference among the several States, as to their situation, extent, habits, and particular interests.

In all other deliberations on this subject, we kept steadily in our view, that which appears to us the greatest interest of every true American, the consolidation of our Union, in which is involved our prosperity, felicity, safety—perhaps our national existence. This important consideration, seriously and deeply impressed on our minds, led each State in the convention to be less rigid on points of inferior magnitude, than might have been otherwise expected; and thus, the constitution which we now present, is the result of a spirit of amity and of that mutual deference and concession, which the peculiarity of our situation rendered indispensable.

That it will meet the full and entire approbation of every State, is not, perhaps, to be expected; but each will doubtless consider, that had her interest alone been consulted, the consequences might have been particularly disagreeable or injurious to others; that it is liable to as few exceptions as could reasonably have been expected, we hope and believe; that it may promote the lasting welfare of that country so dear to us all, and secure her freedom and happiness, is our most ardent wish.

With great respect, we have the honor to be, sir, your Excellency's most obedient and humble servants.

By the unanimous order of the Convention:

GEO. WASHINGTON,

President,

His Excellency the President of Congress,

THE UNITED STATES IN CONGRESS ASSEMBLED.

FRIDAY, SEPTEMBER 28TH, 1787.

Present—New Hampshire, Massachussts, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Virginia, North Carolina, South Carolina, and Georgia; and from Maryland, Mr. Ross.

Congress having received the report of the Convention, lately assembled at Philadelphia,

Resolved, unanimously, That the said report, with the resolutions and letter accompanying the same, be transmitted to the several legislatures, in order to submit to a convention of delegates, chosen in each State, by the people thereof, in conformity to the resolves of the Convention, made and provided in that case.

CHARLES THOMPSON,

Secretary.

AMENDMENTS.

ARTICLE THE FIRST.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

FURTHER EXPRESSED PROHIBITIONS.
Rights declared.

Religion.
Speech.
Press.
Petition.

ARTICLE THE SECOND.

A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed.

Militia-Arms.

ARTICLE THE THIRD.

No soldier shall, in time of peace, be quartered in any house, without the consent of the owner; nor in time of war, but in a manner to be prescribed by law.

Soldier quartered.

ARTICLE THE FOURTH.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and

Searches and seizures.
Warrants.

FURTHER EXPRESS-
ED PROHIBITIONS.
Rights declared

no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE THE FIFTH.

Grand Jury.

No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war or public danger; nor shall any person be subject, for the same offence, to be twice put in jeopardy of life or limb; nor shall be compelled, in any criminal case, to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Twice in jeopardy.
Witness against
himself.
Deprived of life, &c
Private property
for public use.

ARTICLE THE SIXTH.

Rights of accused.

Jury of State and
District.

Nature of accusa-
tion.

Confronted.

Process for wit-
nesses.

Counsel.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law; and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defence.

ARTICLE THE SEVENTH.

Jury trial in civil
cases.

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by a jury shall be otherwise re-examined in any court of the United States, than according to the rules of the common law.

ARTICLE THE EIGHTH.

Bail.

Punishment.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

ARTICLE THE NINTH.

FURTHER EXPRESS-
ED PROHIBITIONS.
Rights declared.

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people. Other rights retained by the people.

ARTICLE THE TENTH.

The powers not delegated to the United States, by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people. Powers delegated and reserved.

ARTICLE THE ELEVENTH.

The judicial power of the United States, shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States, by citizens of another State, or by citizens or subjects of any foreign State. No suit against State, by citizen or subject.

ARTICLE THE TWELFTH.

1. The electors shall meet in their respective States, and vote, by ballot, for President and Vice President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots, the person voted for as President, and in distinct ballots, the person voted for as Vice-President; and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each; which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate: the President of the Senate shall, in presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted: the person having the greater number of votes for President, shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then, from the persons having the highest numbers, not exceeding three, on the list of those voted for as President, the House of Representatives shall choose, immediately, by ballot, the President. But, in choosing the President, the votes shall be taken by Election for President and Vice President.

Proceedings of Electors.

House of Representatives.

By States.

States, the representation from each State having one vote ; a quorum for this purpose shall consist of a member or members from two-thirds of the States and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President, whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.

Vice-President become President.

2. The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of electors appointed ; and if no person have a majority, then, from the two highest numbers on the list, the Senate shall choose the Vice-President : a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice.

Vice-President elected by Senate. Quorum.

Qualifications of Vice-President.

3. But no person constitutionally ineligible to the office of President, shall be eligible to the office of Vice-President of the United States.

INDEX

TO THE

Constitution of the United States of America.

Reference is made to the Articles, Sections, Clauses, and Amendments.

A.

	Art.	Sec.	Clause.
<i>Absent</i> members, attendance compelled -	1	5	1
<i>Acceptance</i> of District of ten miles, by Congress -	1	8	17
“ of present, title, &c. by officer of United States	1	9	8
<i>Accusation</i> , nature and cause of - - -	6		
<i>Accused</i> , rights of. Amendments 4, 5, 6, -	2	2	4
<i>Act</i> , overt - - - -	3	3	1
<i>Acts</i> , records, &c. of each State, credit in other States	4	1	
<i>Adjourn</i> , less than a quorum may - -	1	5	1
“ neither house can, more than three days, without consent of other - - -	1	5	3
“ the houses, President may, in case of their disagreement with respect to the time of adjournment	2	3	
<i>Adjournment</i> preventing return of bill by President -	1	7	2
“ question of, excepted from being presented for President's approval - -	1	7	3
<i>Admiralty</i> , cases of - - - -	3	2	1
<i>Advice</i> and consent of Senate - - - -	2	2	2

	Art.	Sec.	Clause.
<i>Affirmation. See Oath.</i>			
<i>Age</i> of Representative - - -	1	2	2
“ of Senator - - -	1	3	3
“ of President - - -	2	1	5
“ of Vice President. Amendment 12 c. 3. 3.			
<i>Alliance</i> , no State shall enter into - - -	1	10	1
<i>Ambassadors</i> , how appointed - - -	2	2	2, 3
“ cases affecting - - -	3	2	1, 2
“ received by President - - -	2	3	
<i>Amendments</i> to revenue bills and other bills - - -	1	6	1
“ of the Constitution, how made - - -	5		
“ none shall deprive a State of its equal suffrage in the Senate, without its consent - - -	5		
“ none before 1808, shall affect the clause restraining the prohibition of the importation of slaves, or the clause prohibiting any direct tax, unless in proportion to the census - - -	5		
<i>Appointment</i> , temporary, of Senator - - -	1	3	2
“ of officers in militia, reserved to States - - -	1	8	16
“ of Electors, as legislature may direct. Amendment, 12, c. 1, 2 - - -	2	1	2
“ of Senator or Representative to certain offices, prohibited - - -	1, 2	6, 1	2
“ of officers, by President - - -	2	2	2, 3
“ of inferior officers, may be vested elsewhere - - -	2	2	2
<i>See Elections: Officers.</i>			
<i>Apportionment</i> of representatives, and direct taxes - - -	1	2	3
<i>Appropriations</i> by law, no money from Treasury, but by - - -	1	9	7
“ for armies, shall not be for a longer time than 2 years - - -	1	8	12
<i>Approval</i> of President, bill, order, &c. must be presented for - - -	1	7	2, 3
“ of houses, to bill returned by President - - -	1	7	2
<i>Armies</i> , to raise and support, power of Congress - - -	1	8	12
“ votes for government of - - -	1	8	14
“ State restrained from keeping - - -	1	10	3
“ President Commander-in-Chief - - -	2	2	1
“ soldier quartered. Amendment 3.			

	Art.	Sec.	Clause
<i>Armies</i> excepted from right to have inquest by Grand Jury, Amendment 5.			
<i>Arms</i> to militia, Congress may provide for - - -	1	8	16
<i>Arsenals</i> - - - - -	1	8	17
<i>Arts</i> , useful, to promote the progress of - - -	1	8	8
<i>Arrest</i> , Senators and Representatives' privilege from " provisions to guard against arbitrary. Amend. 4.	1	6	1
<i>Assemble</i> and petition, right to. Amendment 1.			
<i>Attainder</i> , bill of prohibited - - - - -	1	9	3
" of treason, shall work no corruption of blood, or forfeiture, except during the life of the person attainted - - - - -	3	3	2
<i>Authors</i> and Inventors - - - - -	1	8	8

B.

<i>Bail</i> . Amendment 8.			
<i>Ballot</i> , votes for President, by. Amendment 12, c. 1.	2	1	3
<i>Bankruptcy</i> - - - - -	1	8	4
<i>Bill</i> for revenue - - - - -	1	7	1
" passed, before it becomes law, must be presented to Pres- ident, approved and signed, or returned, with objec- tions, and passed by two-thirds of both Houses	1	7	2
" not returned within ten days, shall be law, unless Con- gress, by adjournment, prevent its return -	1	7	3
<i>Bills of credit</i> , no State shall emit - - -	1	10	1
<i>Bribery</i> - - - - -	2	4	
<i>Buildings</i> , needful places for - - - - -	1	8	17

C.

<i>Capitation tax</i> A. 5 - - - - -	1	9	4
<i>Captures</i> on land and water - - - - -	1	8	11
<i>Certificates</i> of votes for President and Vice-President. Am. 12, c. 1. - - - - -	2	2	3
<i>Census</i> - - - - -	1	2, 9	3, 4
<i>Cession</i> of District of ten miles - - - - -	1	8	17
<i>Chief Justice</i> - - - - -	1	3	6

	Art.	Sec.	Clause.
<i>Citizen of the United States</i> , Representative must be	1	2	2
“ “ “ Senator must be	- 1	3	3
“ “ “ President must be natural born, or citizen at the adoption of the Constitution	2	1	5
<i>Citizens of each State</i> , privileges, &c. in several States	4	2	1
“ of another State; of different States; of the same State, claiming lands under grants of different States; and of a State and foreign States’ citizens or subjects, cases between	- 3	2	1
<i>Claim</i> of fugitive slave, by owner	- - 4	2	3
<i>Claims</i> of United States, or any particular State,	- 4	3	2
<i>Classes</i> of Senators	- - - 1	3	2
<i>Coin</i> money, regulates the value thereof and of foreign coin, Congress power to	- - 1	8	5
“ money, no State shall	- - - 1	10	1
“ counterfeiting the current, of United States	- 1	8	6
“ Gold and Silver, a tender in payment of debts	- 1	10	1
<i>Commerce</i> with foreign nations and among the several States, and with the Indian tribes, Congress power to to regulate	- - - 1	8	3
“ regulations of, to be equal and uniform	- 1	9	6
<i>Commission</i> , all offices of United States to receive from President	- - - 2	3	
“ may be granted to fill vacancies, during recess, which will expire at the end of the next ses- sion of Senate	- - - 2	3	3
<i>Common-Law</i> . Amend. 1807.			
<i>Compensation</i> of Senators and Representatives	- 1	6	1
“ of President, <i>neither increased nor diminished</i>	2	1	7
“ of Judges, not to be <i>diminished</i>	- 3	1	
“ private property, shall not be taken for public use, without just. Amend. 5.			
<i>Confederation</i> , articles of	- - - 1	6	1
“ no State shall enter into any	- 1	10	1
<i>Confronted</i> . Amend 6.			

	Art.	Sec.	Clause.
<i>Congress</i> shall consist of a Senate and House of Representatives - - -	1	1	
“ all Legislative powers granted vested in	1	1	
“ shall assemble once a year, on first Monday in December, unless they shall by law appoint a different day - - -	1	4	2
“ information and recommendations to, from President - - -	2	3	
“ by adjournment prevent President from returning bill - - -	1	7	2
“ may give effect of law to bill disapproved by President, how - - -	1	7	2
“ may direct the manner of enumeration or census	1	2	3
“ may make regulations or alter those of State Legislature, as to election of Senators and Representatives, except as to place of choosing Senators - - -	1	4	1
“ may revise, and control inspection laws of State	1	10	2
“ may determine the time of choosing electors of President and Vice-President, and the day of their voting, which shall be the same throughout the U. S. - - -	2	1	4
“ may provide for the case of removal, death, &c. of President and Vice-President -	2	1	6
“ may establish appointments of officers not provided for in constitution - -	2	2	2
“ may vest the appointment of inferior officers in the President alone, in the courts of law, or in the heads of departments -	2	2	2
“ may ordain and establish courts inferior to the Supreme Court - -	3	1	
“ may make exceptions and regulations as to the appellate jurisdiction of the Supreme Court	3	2	2
“ may direct where the trial shall be had of offences to be committed, not within any State	3	2	3
“ may declare the punishment of treason, the effect of attainder not being extended beyond life	3	3	2

		Art.	Sec.	Clause.
<i>Congress</i>	may prescribe the manner of proving, and the effect of acts, records, &c. - - -	4	1	
"	may admit new States, subject to certain restrictions - - -	4	3	
"	may dispose of and make rules concerning the territory or other property of the U. S. -	4	3	
"	may prepare amendments to the Constitution, two thirds of both Houses concurring, or on application of the Legislatures of two-thirds of the States, call a Convention: the amendments to be ratified by State Legislatures or State Conventions, as one or the other mode may be proposed by Congress -	5		
"	may in time of war, prescribe the manner of quartering soldiers in houses. Amen.	3.		
"	shall ascertain the districts in which crimes are to be committed therein, shall be tried. Amendment 6.			
"	shall have power to lay and collect taxes, duties, &c. - - -	1	8	1
"	" " to borrow money -	1	8	2
"	" " to regulate commerce -	1	8	3
"	" " to establish uniform laws of naturalization and bankruptcy	1	8	4
"	" " to coin money, regulate the value of coin and fix the standard of weights and measures	1	8	5
"	" " to provide for the punishing of counterfeiting, &c.	1	8	6
"	" " to establish Post Offices and Post Roads - -	1	8	7
"	" " to secure exclusive right to authors and inventors	1	8	8
"	" " to constitute tribunals inferior to to Supreme Court -	1	8	9

			Art.	Sec.	Clause.
<i>Congress shall have power to</i> define and punish piracies, felonies on the high seas, and offences against the law of na- tions - -			1	8	10
"	"	" to declare war, grant letters of marque and reprisal, and make rules concerning captures	1	8	11
"	"	" to raise and support armies: but no appropriation for this pur- pose, to be for a longer time than two years -	1	8	12
"	"	" to provide and maintain a navy	1	8	13
"	"	" to make rules for the land and naval forces - -	1	8	14
"	"	" to provide for calling forth the militia, in certain cases	1	8	15
"	"	" to provide for, organizing, arm- ing and disciplining the militia and governing them in service; reserving to the State the ap- pointment of officers, and the authority of training accord- ing to discipline prescribed by Congress - -	1	8	16
"	"	" to exercise exclusive Legislation over District of ten miles, and places purchased for forts, &c.	1	8	17
"	"	" to make all laws necessary and proper for carrying granted powers into execution -	1	8	18
"	without the consent of, no officer shall accept present, &c. from foreign power - -		1	9	8
"	"	" no State shall lay imposts, &c.	1	10	2
"	"	" " shall lay duty or ton- nage -	1	10	3

	Art.	Sec.	Clause.
<i>Congress</i> without the consent of, no State shall keep troops or ships of war in time of peace, enter into agreement with another State or foreign power, or engage in war, unless invaded, &c. -	1	10	3
“ “ “ “ shall be formed by the junction of States or parts of States	4	3	
“ shall not prohibit, before 1808, the migration or importation of slaves, but a tax or duty not exceeding \$10 each may be laid -	1	9	1
“ shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press, or the right of the people peaceably to assemble and petition for redress of grievances. Amend. 1.			
“ shall pass no bill of attainder or ex post facto law	1	9	3
“ shall lay no direct tax, unless in proportion to the census - - -	1	9	4
“ shall lay no tax or duty on articles exported from any State - - -	1	9	5
“ shall give no preference to the ports of one State over those of another - -	1	9	6
<i>Besides the foregoing prohibitions and the limitations and exceptions contained in the foregoing grants, Congress is subject to these further express prohibitions, which are applicable to all the authorities of the general government, viz :</i>			
“ shall not suspend the privilege of the Writ of Habeas Corpus, unless in cases of rebellion or invasion, when, &c. - -	1	9	2
“ shall not require vessels bound to or from one State, to enter, clear or pay duties in another	1	9	6

	Art.	Sec.	Clause.
<i>Congress</i> shall draw no money from the Treasury, but through appropriation made by law -	1	9	7
“ shall grant no title of nobility -	1	9	8
<i>Congress</i> shall not infringe the right of the people to keep and bear arms. Amend. 2.			
“ shall not in time of peace, quarter a soldier in any house without consent of the owner, nor in time of war, but in a manner to be prescribed by law. Amend. 3.			
“ shall not violate any of the other rights declared. Amend. 4-9.			
“ shall not extend the Judicial power of the United States, to suits against a State by citizens of another State, or citizens or subjects of any foreign State. Amend. 11.			
“ shall exercise no power not delegated. Amend. 10.			
<i>See Houses of Congress. Law.</i>			
<i>Consent</i> of both houses, to adjournment more than three days - - - -	1	5	4
“ of Legislature, to purchase of place for fort, &c.	1	9	17
“ of Congress, to States laying imposts, &c. -	1	10	2
“ of Congress, to States laying duty on tonnage, keeping troops or ships of war, entering into compact, or engaging in war -	1	10	2
“ of Senate, to treaties and appointments of officers	2	2	2
“ of Congress and Legislatures, to junction of States or parts of States - -	4	3	1
“ of State, necessary to its being deprived of its equal suffrage in the Senate -	5		
“ of States present, unanimous, to Constitution formed. <i>Conclusion.</i>			
“ of owner of house, to soldier quartered therein. Amendment 3.			
<i>Constitution</i> of U. S., ordained and established by people of United States. <i>Preamble.</i>			
“ formed by States in general Convention. <i>Conclusion.</i>			

	Art.	Sec.	Clause.
Ratification of the Convention of nine States sufficient for its establishment between those States - - - - -	7		
<i>Constitution</i> amendments to, how proposed and ratified	5		
“ at its adoption, person not native, must have been a citizen, to be eligible as President	2	1	5
“ oath to defend, taken by the President -	2	1	8
“ oath to support, taken by all officers of the United States, and of the several States	6		3
“ cases under Judicial power, extends to	3	2	1
“ nothing in it, to prejudice claims of U. S. or of State - - - - -	4	3	2
“ debts and engagements to be valid under it	6		1
“ it and laws under it to be supreme law	6		2
“ rights enumerated in, not to disparage others. Amend. 9.			
“ powers not delegated by, reserved. Amen. 10.			
<i>Constitution of any State</i> , not to withstand the supreme law - - - - -	6		2
<i>Consuls.</i> See <i>Ambassadors.</i>			
<i>Contracts</i> , law impairing the obligation of, no State shall pass - - - - -	1	10	1
“ under confederation, valid against U. S. under Constitution - - - - -	6		1
<i>Controversies.</i> Amend. 7. - - - - -	3	2	
<i>Convention</i> , States in, form the Constitution. <i>Conclusion.</i>			
“ to propose amendments - - - - -	5		
<i>Conventions</i> of nine States, may establish the Constitution	7		
“ in three-fourths of the States to ratify amend- ments - - - - -	5		
<i>Corruption</i> of blood - - - - -	3	3	2
<i>Counsel</i> , assistance of, for defence. Amend. 6.			
<i>Counterfeiting</i> - - - - -	1	8	6
<i>Court</i> , Supreme, recognized - - - - -	3, 1	1, 8	9
“ “ jurisdiction of. Amend. 11	3	2	1, 2
“ “ Chief Justice - - - - -	1	3	6
“ inferior to Supreme Court, Congress may estab- lish - - - - -	1, 3	8, 1	9

	Art.	Sec.	Clause
<i>Court</i> , inferior, their jurisdiction. Amend. 11.	3	2	1, 2
“ any, of U. S. in State: injunctions upon as to trial by Jurors. Amend. 7. - -	3	3	3
“ “ as to rights of accused. Amend. 4, 5, 6.			
“ “ to regard the Supreme law -	6		2
“ confession in open - - -	3	3	1
“ of law; appointment of inferior officers may be vested in - - -	2	2	2
<i>Credit</i> of United States - - -	1	8	2
“ bills of - - -	1	10	1
“ to acts, records, &c. - -	4	1	
<i>Crimes</i> , high and misdemeanors, impeachments, for	2	4	
“ pardons for - - -	2	2	1
“ person charged with, and fleeing into another State	4	2	2
“ of counterfeiting - - -	1	8	6
“ against the law of nations - -	1	8	10
“ trial of, except in cases of impeachment, by Jury, and where - - -	2	2	1
“ capital or otherwise infamous. Amend. 4.			
“ District wherein it shall have been committed. Amendment 5.			
“ rights of those accused of. Amendments 4, 5, 6, 7.			

D.

<i>Day</i> for annual meeting of Congress - -	1	4	2
“ of voting for President and Vice-President -	2	1	4
“ Vice-President shall become President, if no choice be sooner made, fourth of March. Amend. 12, c. 2.			
“ within ten days (Sundays excepted,) if bill be not re- turned by President, it becomes law, unless, &c.	1	7	2
<i>Danger</i> , public Amendment 5.			
“ imminent - - -	1	10	3
<i>Death</i> of President. Amend. 12, c. 1. - -	2	1	6
“ of President and Vice-President - -	2	1	6
<i>Debate</i> , freedom of. Amend. 1. - -	1	6	1
<i>Debts</i> of United States, to pay - -	1	8	1

	Art.	Sec.	Clausc.
<i>Debts</i> contracted under confederation, valid against U. S.	6		1
<i>Delivery</i> of fugitives and slaves - - -	4	2	2, 3
<i>Defence, common</i> , to provide for the. <i>Preamble</i> .			
" common, of the U. S. to provide for -	1	8	1
<i>Departments</i> , Executive - - - -	2	2	1
" heads of - - - -	2	2	2
<i>Direct</i> taxes. A. 1. S. 2, C. 2; A. 1. S. 9. C. 4. A. 5.			
<i>Disability</i> , constitutional of President and Vice-Presi-			
dent. Amend. 12, c. 2. - - -	2	2	6
<i>Discipline</i> of militia - - - -	1	8	16
<i>Discoveries</i> of inventors - - - -	1	8	8
<i>District</i> of ten miles - - - -	1	8	17
" for trial of crimes. Amend. 6.			
<i>Dock-Yards</i> - - - -	1	8	17
<i>Domestic</i> violence - - - -	4	4	
<i>Duties</i> , Congress shall have power to lay and collect	1	8	1
" shall be uniform - - - -	1	8	1
" on slaves, not exceeding \$10 each -	1	9	1
" none on exports from States - - -	1	9	5
" none to be paid by vessels bound to or from one State			
to another - - - -	1	9	6
" States shall lay none, without consent of Congress,			
except, &c. - - - -	1	10	2
" States shall lay none on tonnage, without consent of			
Congress - - - -	1	10	3

E.

Effects. Amendment 4.

<i>Election</i> , writs of - - - -	1	2	4
" of Representatives - - - -	1	2	1
" of Senators - - - -	1	2	1
" times, places, and manner of, for Senators and Re-			
presentatives - - - -	1	4	1
" of Speaker and Officers of House -	1	2	5
" of Officers of Senate - - - -	1	3	5
" of electors for President and Vice-President	2	1	2

	Art.	Sec.	Clause
<i>Election</i> of President and Vice-President. Amend. 12	1	2,	3, 2
“ of its members, to be judged of by each house	1	5	1
<i>See Appointments.</i>			
<i>Electors</i> of representatives, qualifications of -	1	2	1
<i>Electors for President and Vice-President</i> , appointed as the legislature of the State may direct - -	2	1	2
“ “ “ no Senator or Representative, or officer of United States can be	2	1	2
“ “ “ time of choosing and day of voting, Congress may determine	2	1	4
“ “ “ proceedings of. Amend. 12.	2	1	3
<i>Eligible</i> , who, as President - -	2	2	5
“ who, as Vice-President. Amendment 12, c. 3.			
“ who, as Representative - -	1	2	2
“ who, as Senator - - -	1	3	3
“ who, as elector of President and Vice-President	2	1	2
“ to certain offices, Senator or Representative, not	1	6	2
<i>Emolument</i> , from foreign power - -	1	9	8
“ other, than compensation, President shall not have - - -	2	1	7
“ of office increased during term - -	1	6	2
<i>Enemies</i> , aid and comfort to - -	3	3	1
<i>Engagements</i> entered into, valid - -	5		
<i>Enter</i> , vessels to - - -	1	9	6
<i>Enumeration</i> , or census. A. 1, S. 2, C. 3, A. 1, S. 9, C. 4, A. 5.			
“ of rights, not to disparage others. Amend. 9.			
<i>Equity</i> , cases in law and - - -	1	2	1
“ suit in, against State, by citizen or subject. Am. 11.			
<i>Establish</i> . Preamble. A. 1, S. 8, C. 4, 7; A. 2, S. 2, C. 2; A. 3, S. 1; A. 7; Amend. 1.			
<i>Exercises</i> - - -	1	8	1
<i>Exclusive</i> right to authors and inventors -	1	8	8
“ legislation over District - -	1	8	17
<i>Executive authority of State</i> shall issue writs of election, to fill vacancy in Representatives	1	2	4
“ “ “ may make temporary appointment of Senator -	1	3	1

	Art.	Sec.	Clause.
<i>Executive</i> authority of State on demand of, fugitive from justice delivered -	4	2	2
“ “ “ all officers of, shall take oath to support the Constitution of U. S.	6		3
“ “ “ may, (when the legislature cannot be convened,) make application for United States to protect the State against domestic violence	4	4	
<i>Executive Departments</i> - - -	2	2	1, 2
<i>Executive Powers</i> vested in President - -	2	1	1
<i>See President of United States.</i>			
<i>Expel</i> a member - - - -	1	5	2
<i>Expenditures</i> - - - -	1	9	7
<i>Exports</i> , no tax or duty on those from a State -	1	9	5
“ no State shall lay duty on, except, &c. -	1	10	2
<i>Ex post facto law</i> , no State shall pass any -	1	10	3
“ “ General Government shall pass none	1	9	3

F.

<i>Fact</i> , jurisdiction of Supreme Court as to -	3	2	2
“ trial by a jury, re-examined, how. Amendment 7.			
<i>Faith and credit</i> - - -	4	1	
<i>Felony</i> excepted from privilege - - -	1	6	1
“ on high seas - - -	1	8	10
“ fugitive charged with - - -	4	2	2
<i>Fines.</i> Amendment 8.			
<i>Forces</i> , land and naval, rules for the government of	1	8	14
“ “ “ excepted from right to Grand Jury.			
Amendment 6.			
<i>See Armies: Navy.</i>			
<i>Foreign</i> nations, commerce with - -	1	8	3
“ State, no present, &c. from - -	1	9	8
“ power, compact of State with -	1	10	3
“ States, citizens or subjects, controversies with.			
Amendment 11. - -	3	2	2
<i>See Ambassadors.</i>			

	Art.	Sec.	Clause.
<i>Forfeiture</i> - - - - -	3	7	2
<i>Forts</i> , places for - - - - -	1	8	17
<i>Free persons</i> - - - - -	1	2	3
“ <i>State.</i> Amend. 2.			

G.

<i>Gold</i> a tender - - - - -	1	10	1
<i>Government</i> , republican form of, guaranteed to every State	4	4	
“ seat of, of United States. Amend. 12. c. 1	1, 2	8, 2	18, 3
“ to petition the, for redress of grievances. Am. 1.			
<i>Governor.</i> See <i>Executive authority of State.</i>			
<i>Grants</i> of different States - - - - -	3	2	1
<i>Grievances</i> , redress of. Amend. 1.			
<i>Guaranty</i> to each State - - - - -	4	4	

H.

<i>Habeas corpus</i> , writ of - - - - -	1	9	2
<i>House</i> , soldier quartered in. Amend. 3.			
<i>Houses</i> , right to be secured in. Amend. 4.			
<i>Houses of Congress</i> , two - - - - -	1	1	
“ “ each shall judge of the elections, returns, and qualifications of its members	1	5	1
“ “ of each, a majority shall be a quorum for business, but a smaller number may adjourn, and compel the attendance of absent members, in such manner and under such penalties as each may pro- vide - - - - -	1	5	1
“ “ each may determine the rules of its pro- ceedings, punish its members for dis- orderly conduct, and with the concur- rence of two-thirds, expel a member	1	5	2
“ “ each shall keep a journal of its proceed- ings, and publish it, except such parts as, in its judgment, require secrecy	1	5	3

		Art.	Sec.	Clause.
<i>Houses of Congress</i>	the yeas and nays, at the desire of one-fifth, to be entered on the journal	1	5	3
"	" neither, shall, without the consent of the other, adjourn for more than three days, nor to any other place	1	5	4
"	" of both, members shall receive compensation - -	1	6	1
"	" " their privilege from arrest	1	6	1
"	" " shall not be questioned in any other place, for speech or debate in House -	1	6	1
"	" of neither, a member shall be appointed to any civil office of United States, created, or increased in emolument, during the time for which he was elected	1	6	2
"	" of neither, any person shall be a member who hold any office under the U. S.	1	6	2
"	" bills for revenue shall originate in the House of Representatives, but in these, as in other bills, Senate may propose, or concur with amendments	1	7	1
"	" bill passed by both, shall be presented to President, if disapproved, shall be returned to the house in which it originated, with his objections at large, shall be entered on the journal of that house, which shall reconsider, and, if passed by two-thirds, send bill, with objections, to the other house, which shall also reconsider, and may, by two-thirds, approve, and it shall be law. In such cases, votes of both houses to be by yeas and nays, the names to be entered upon the journal of each respectively -	1	7	2
"	" whenever both must concur, (adjournment excepted,) matter must be presented to president for approval, and if			

			Art.	Sec.	Clause
		dis approved, be repassed by two-thirds			
		of each house - - -	1	7	3
<i>Houses of Congress,</i>		both, must be present at the opening of			
		the certificates and counting the votes			
		for President and Vice-President.			
		Amendment 12, c. 1. - - -	2	1	3
"	"	both, or either, may be convened by Pre-			
		sident - - - - -	2	3	
"	"	both, may be adjourned by President, in			
		case of their disagreement as to the			
		time of adjournment - - -	2	3	
"	"	two-thirds of both, necessary to Congress			
		proposing amendments - - -	5		
		<i>See Congress, House of Representatives, Senate.</i>			
<i>House of Representatives</i>		shall choose their Speaker and other			
		officers - - - - -	1	2	5
"	"	shall have the sole power of im-			
		peachment - - - - -	1	2	5
"	"	shall choose the President, voting by			
		States, if no one have a majority			
		of the votes of the electors.			
		Amend. 12, c. 1. - - -	2	1	3
		<i>See Representatives, Congress, Houses of Congress.</i>			

I.

<i>Immunities</i>	- - - - -	4	2	1
<i>Impeachment,</i>	House of Representatives sole power of	1	2	5
"	Senate, sole power of trying - - -	1	3	6
"	Chief Justice shall preside, when President			
	may be tried - - - - -	1	3	6
"	Senators, on oath, and two-thirds must concur			
	for conviction - - - - -	1	3	6
"	judgment in cases of - - - - -	1	3	7
"	removal of President and Vice-President	1	1	6
"	cases of, excepted from power of pardon	2	2	1
"	President, Vice-President, and all civil officers			
	liable to, and for what - - - - -	3	4	

	Art.	Sec.	Clause.
<i>Impeachment</i> , trial of, excepted from right to Jury -	3	2	3
<i>Importation</i> of slaves or <i>such persons</i> . A. 5. -	1	9	1
<i>Imports</i> - - - - -	1	10	2
<i>Imposts</i> - - - - -	1	8, 10	1, 2
<i>Inability</i> of President and Vice-President -	2	2	6
<i>Independence</i> of the United States. <i>Conclusion</i> .			
<i>Indians</i> not taxed, excluded from number of free persons	1	2	3
“ tribes, commerce with -	1	8	3
<i>Indictment</i> of Grand Jury. Amendment 5.			
<i>Inhabitant</i> of State - - - -	1	2, 3	2, 3
<i>Inspection</i> laws of State - - -	1	10	2
<i>Insurrection</i> , to suppress - - -	1	8	15
<i>Invasion</i> , to repel - - - - -	1	8	15
“ cases of, habeas corpus suspended -	1	9	2
“ protect against, United States shall, each State	4	4	
<i>Inventors</i> , exclusive right to - -	1	8	8

J.

Jeopardy. Amend. 5.

<i>Journal</i> , each house to keep, publish, enter yeas and nays, &c.	1	5	3
<i>Journal</i> , objections of President to be entered on	1	7	2
<i>Judges</i> , how appointed - - -	2	2	2
“ shall hold during good behaviour, and receive compensation, not to be <i>diminished</i> during their continuance in office - - -	3	1	
“ Chief Justice - - - - -	1	3	6
“ of State, bound by supreme law - - -	6		2
“ of United States and State, shall take oath to support Constitution United States - - -	6		3

See Courts.

<i>Judicial power</i> vested in Supreme and Inferior Courts	3	1	
“ to what cases it shall extend -	3	2	2
“ not to extend to a suit against a State, by citizen or subject. Amend. 11. <i>See Courts</i> .			
<i>Judicial proceedings</i> - - - - -	4	1	
<i>Jurisdiction</i> of United States Courts. Amend. 11	3	2	

	Art.	Sec.	Clause.
<i>Jurisdiction</i> , original and appellate of Supreme Court	3	2	2
“ of any other State within the, no new State to be formed - - -	4	3	
“ of the crime, fugitive to be removed to the State having - - -	4	2	2
“ cases of admiralty and maritime -	3	2	1
<i>Jury</i> trial of all crimes, except in cases of impeachment, and where - - -	3	2	3
“ grand. Amend. 5.			
“ impartial, of the State and District. Amend. 6.			
“ right of trial by, in suits at common law, where the value in controversy shall exceed \$20. Amend. 7.			
<i>Justice</i> , to establish. <i>Preamble</i> .			
“ Chief - - -	1	3	6

L.

<i>Labor</i> , or service - - -	4, 1	2, 2	3, 3
<i>Law</i> , Supreme of the land - - -	6		2
“ what will make a bill become a - - -	1	7	2
“ ex post facto or impairing the obligation of contracts	1, 1	9, 10	3, 1
“ of nations - - -	1	8	10
“ courts of - - -	2	2	2
“ and equity, cases in - - -	3	2	1
“ and fact, appellate jurisdiction as to - - -	3	2	2
“ or regulation, as to slaves escaping - - -	4	2	3
“ of United States, and of any State - - -	6		2
“ respecting establishment of religion, abridging freedom of speech, or press, or right to assemble and petition. Amend. 1.			
“ due process of. Amend. 5.			
common. Amend. 7.			
“ or equity, suit in. Amend. 11.			
“ manner of census to be directed by - - -	1	2	3
“ regulations as to elections, may be made or altered by	1	4	1
“ different day for annual meeting of Congress may be appointed by - - -	1	4	2

	Art.	Sec.	Clause.
<i>Law</i> , appropriation made by - - -	1	9	7
“ providing for vacancy of both offices, President and Vice-President - - -	2	1	6
“ punishment according to - - -	1	3	7
“ appointments to be established by - - -	2	2	2
“ appointment of inferior officers may be vested by, in Courts, &c. - - -	2	2	2
“ manner of quartering soldiers in time of war, prescribed by. Amend. 3.			
“ District for trial of crimes previously ascertained by. Amend. 6.			
<i>Laws</i> , Inspection, of State - - -	1	10	2
“ of State, laying duties, &c. - - -	1	10	2
“ on the subject of bankruptcy - - -	1	8	4
“ of the Union, militia called to execute - - -	1	8	15
“ necessary and proper - - -	1	8	18
“ faithfully executed - - -	2	3	
<i>Legislation</i> , exclusive in all cases over District - - -	1	8	17
<i>Legislative</i> power vested in Congress - - -	1	1	
<i>See Congress, House of Representatives.</i>			
<i>Legislature of any State</i> , the qualifications of voters for its most numerous branch, shall be those for electors of Representatives in Congress	1	2	1
“ “ two Senators for State, to be chosen by - - -	1	3	1
“ “ shall fill vacancies in Senate at its next meeting, when the temporary appointments expire - - -	1	3	2
“ “ times, places, and manner of holding elections for Senator and Representative, shall be prescribed by, subject to alterations by Congress, except as to place of choosing Senator	1	4	2
“ “ consent of, to purchase of places for forts, &c. - - -	1	10	17

			Art.	Sec.	Clause.
<i>Legislature</i>	of any State	may direct the manner in which the electors of President and Vice-President shall be appointed	-	2	1 2
"	"	consent of, to junction of State or part thereof, to another, or a part thereof	-	4	3 1
"	"	members of, shall be bound by oath to support Constitution United States	-	6	3
"	"	on its application, or that of executive, (when it cannot be convened,) United States shall protect State against domestic violence	4	4	
"	"	on the application of the Legislatures of two thirds of the States, Congress shall call a Convention, for proposing amendments to Constitution	5		
"	"	amendments shall be valid, when ratified by Legislatures of three fourths of the States, or convention, in three fourths	5		
"	"	imposts and duties laid by a State, with the consent of Congress to go to U. States Treasury :	1	10	2
"	"	inspection laws of State, to be subject to the revision and control of Congress.	1	10	3

See State.

Letters of Marque and reprisal - - 1 8, 10 11, 1

Liberty of conscience, speech, press. Amend. 1.

" Life on property be deprived of. Amend. 5.

Life or limb, in jeopardy. Amend. 5.

M.

	Art.	Sec.	Clause
<i>Magazines, arsenals, dockyards, &c.</i> places for -	1	8	17
<i>Majority</i> of each house, a quorum for business, but a smaller number may adjourn, &c. -	1	5	1
“ of votes of electors, and of States and of Senate, in election of President and Vice-President.			
Amend. 12. C. 1, 2. - -	2	1	3
<i>See Number.</i>			
<i>Maritime</i> jurisdiction. <i>See Felony.</i> - -	3	2	1
<i>Measures</i> and weights, standard of - -	1	8	5
<i>Migration</i> of Slaves or persons. A. 5. -	1	10	1
<i>Militia</i> , Congress shall have power to provide for calling fourth, &c. - -	1	8	15
“ Congress shall have power to provide for organizing, arming and disciplining, and governing in service of United States, reserving to State appointments of officers and training, according to discipline prescribed by Congress -	1	8	16
“ President commander in chief, when in actual service of United States - -	2	2	1
“ “ well regulated, necessary to the security of a free State. Amend. 2.			
“ “ in actual service, excepted from right to Grand Jury. Amend. 5.			
<i>Ministers.</i> <i>See Ambassadors.</i>			
<i>Misdemeanors.</i> <i>See Crimes.</i> - -	2	4	
<i>Money</i> to be drawn only through appropriations by law	1	9	7
“ to borrow on the credit of the United States	1	8	2
“ to coin - - -	1	8	5
“ appropriation of, for support of Armies -	1	8	12

N.

<i>Names.</i> <i>See Yeas and Nays</i> - - -	1	7	2
<i>Naturalization</i> , an uniform rule of - -	1	8	4
<i>Navy</i> , to provide and maintain - -	1	8	13

	Art.	Sec.	Clause.
<i>Navy</i> , rules, for government of - - -	1	8	14
“ States shall not keep ships of war without consent of Congress - - -	1	10	3
“ President, commander in chief of - - -	2	2	1
“ excepted from right to Grand Jury. Amend. 5.			
<i>New States</i> , may be admitted, &c. - - -	4	3	1
<i>Nobility</i> , title of, shall not be granted by United States -	1	9	8
“ “ “ “ State -	1	10	1
<i>Nominations</i> to office - - -	2	2	2
<i>Number</i> of Representatives - - -	1	2	3
“ of electors for President and Vice-President	2	1	3
“ of persons from whom House of Representatives must choose President. Amend. 12, c. 1.	2	1	3
“ of persons from whom Senate must choose Vice-President. Amend. 12, c. 1. - - -	2	1	3
“ of States necessary to establish Constitution	7		
“ <i>three-fifths</i> of all other persons added to free persons in the Federal enumeration -	1	2	3
“ <i>one-fifth</i> of members present in either House, may demand yeas and nays to be entered -	1	5	3
“ <i>two-thirds</i> of either House may expel a member	1	5	2
“ “ of Senators present, necessary to convict on impeachment -	1	3	6
“ “ of Senators, a quorum to elect a Vice-President. Amend. 12, c. 2.			
“ “ of Senators present, must concur in treaty	2	2	2
“ “ of both houses, to approve bill, order, &c. returned by President -	1	7	2, 3
“ “ of both houses, may propose amendments to the Constitution -	5		
“ “ of the States to be represented in House, when it elects a President. Am. 12, c. 1.	2	1	3
“ “ of the States, the legislators of, may apply for convention to propose amendments	5		
“ <i>three-fourths</i> of the several States, by Legislatures, or conventions, may ratify amendments of the Constitution - - -	5		
<i>See Majority.</i>			
<i>Numbers</i> , federal, how ascertained - - -	1	2	3

O.

	Art.	Sec.	Clause.
<i>Oath</i> or affirmation, Senators to be on, when sitting for trial			
of impeachment - - -	1	3	6
“ “ of office of President - - -	2	1	8
“ “ of all officers of United States and the several States, to support Consti- tution - - -	6		3
“ “ warrants to be supported by. Am. 4.			
<i>Objections</i> of President to bill passed - - -	1	7	2
<i>Offences</i> against the law of nations - - -	1	8	10
“ pardons for. <i>See Crimes.</i> - - -	2	2	1
<i>Office</i> of honor, profit or trust - - -	1	3	7
“ of profit or trust - - -	1, 2	9, 1	8, 2
“ of post - - -	1	8	7
“ to which a Senator or Representative shall not be ap- pointed - - -	1	6	2
“ none, under United States, a member of either house shall hold - - -	1	6	2
“ any, under United States, a person holding shall not be an elector - - -	2	1	2
“ of Judge, held during good behavior - - -	3	1	
“ no religious test, as a qualification to any - - -	6		3
<i>Officers</i> of House of Representatives - - -	1	2	5
“ of Senate - - -	1	3	4, 5
“ principal in Executive Department - - -	2	2	1
“ of U. S., how appointed - - -	2	2	2, 3
“ “ all commissioned by President - - -	3	2	
“ “ all civil, liable to impeachment - - -	3	4	
“ “ none, shall accept present, title, &c. from foreign power - - -	1	9	8
“ “ all executive and judicial, of the United States and of the several States, (as well as the Senators, Representatives in Congress, and members of the State Legislatures,) shall be bound by oath			

	Art.	Sec.	Clause.
to support this Constitution -	6		3
<i>See President: Vice President.</i>			
<i>Order</i> , power of each house to preserve -	1	5	2
“ requiring concurrence, to be presented to President	1	7	3

P.

<i>Papers</i> , right to be secure in. Amend. 4.			
<i>Pardons</i> , power to grant - - -	2	2	1
<i>Party</i> to whom service or labor may be due, on claim of	4	2	3
“ convicted on trial of impeachment -	1	3	7
“ cases in which State shall be a. Amend. 11. -	3	2	2
<i>Passed</i> , bill - - - -	1	7	2
<i>Pay. See Compensation.</i>			
<i>Patent</i> to authors and inventors - - -	1	8	8
<i>Peace</i> , breach of - - - -	1	6	1
“ time of. Amend. 3. - - -	1	10	3

See Treaty.

<i>People</i> of the United States. <i>Preamble.</i>			
“ of the several States - - -	1	2	1
“ right of the, to assemble and petition. Amend. 1.			
“ right of the, to be secure. Amend. 4.			
“ rights retained by the. Amend. 9.			
“ powers reserved to the. Amend. 10.			
<i>Persons</i> , free - - - -	1	2	2
“ <i>all other.</i> A. 5. - - -	1	2, 9	2, 4
“ bound to service for a term of years -	1	2	2
“ held to service or labor - - -	4	2	3
“ such as any of the States now existing shall think proper to admit. A. 5. - - -	1	9	1
“ fleeing from justice into another State -	4	2	2
“ right to be secured in. Amend. 4.			
“ of members privileged from arrest -	1	6	1
<i>Petition</i> , right to assemble and. Amend. 1.			
<i>Piracies</i> - - - -	1	8	10
<i>Place</i> of holding elections and of choosing Senators	1	4	1
“ of sitting, one house cannot change -	1	5	4

			Art.	Sec.	Clause.
<i>Place</i> for seat of government	-	-	1	8	17
“ for fort, magazine, or other needful building	-	-	1	8	17
“ for trial of crimes. Amend. 6.	-	-	3	2	3
“ to be searched. Amend. 4.					
<i>Ports</i> , no preference between	-	-	1	9	6
<i>Post Offices</i> and post roads	-	-	1	8	7
<i>Powers</i> of Congress. <i>See Congress.</i>	-	-	1	8	
“ of President. <i>See President U. S.</i>	-	-	1	2	
“ restraints on those of General Government. Amend- ments 1-11. A. 5.	-	-	1	9	
<i>See Congress : President U. S. : Courts.</i>					
“ restraints on those of State. Amend. 10.			1	10	
<i>See States.</i>					
“ of amendment and restraints on	-	-	5		
“ laws to carry into execution	-	-	1	8	18
“ not delegated, are reserved. Amend. 10.					
<i>Presentment</i> of Grand Jury. Amend. 5.					
<i>Presents</i>	-	-	1	9	8
<i>President of the Senate</i> , Vice-President shall be	-	-	1	3	4
“ “ <i>pro tem.</i> , Senate shall choose in ab- sence of Vice-President, or when he is acting as President			1	3	5
“ “ shall open certificates of votes of electors. Amend. 12, c. 1.			2	1	3
<i>President of the United States</i> , executive power vested in			2	1	1
“ “ term of office, four years			2	1	1
“ “ how elected. Am. 12, c. 1.			2	1	2, 3
“ “ qualifications for office			2	1	5
“ “ vacancy in office, and disa- bility provided for Amend. 12, c. 1.			2	1	6
“ “ may be elected, when Presi- dent and Vice-President both under disability			2	1	6
“ “ compensation, neither to be increased or diminished			2	1	7
“ “ to receive no other emolu- ment			2	1	7

			Art.	Sec.	Clause.
<i>President of the United States</i> , oath of office	-	2	1	8	
"	"	may be removed on impeachment, and for what	2	4	
"	"	when tried, Chief Justice shall preside	-	1	3 6
"	"	shall sign bill passed, if he approve, if not, return it with objections	-	1	7 2
"	"	if he do not return bill within ten days, (Sundays excepted,) it shall be a law, unless Congress prevent its return, by adjournment	1	7	2
"	"	his approval of every order, resolution, vote, &c, required as in case of bill	1	7	3
"	"	shall be Commander-in-Chief	2	2	1
"	"	may require written opinions from principal Executive Officers	-	2	2 1
"	"	may grant reprieves and pardons	-	2	2 1
"	"	power to make treaties, two-thirds of the Senators concurring	-	2	2 2
"	"	to nominate Ambassadors and other officers, and with the consent of Senate, appoint	-	2	2 2
"	"	may be vested with sole power of appointing inferior officers	-	2	2 2
"	"	to fill vacancies during recess, by commissions, to expire at end of next session	2	2	3
"	"	shall give information, and recommend measures to Congress	-	2	3

	Art.	Sec.	Clause.
<i>President of the United States</i> may convene both houses, or either of them -	2	3	
“ “ in case of their disagreement as to the time of adjourn- ment, may adjourn them	2	3	
“ “ shall receive Ambassadors and other public Ministers	2	3	
“ “ shall take care that the law be faithfully executed	2	3	
“ “ shall commission all the of- ficers of the United States	2	3	
<i>Press, freedom of.</i> Amend. 1.			
<i>Privileges of Senators and Representatives</i> -	1	6	1
“ of citizens in the several States -	4	2	1
<i>Probable Cause.</i> Amend. 4.			
<i>Process of law, due.</i> Amend. 5.			
“ compulsory, for witnesses. Amend. 6.			
<i>Prohibitions.</i> Amend. 10.			
<i>See Powers.</i>			
<i>Property</i> belonging to U. S., Congress may make rules re- specting - - -	4	3	2
“ life, liberty or. Amend. 5. <i>See Effects.</i>			
“ private, shall not be taken for public use, without just compensation. Amend. 5.			
<i>Prosecutions.</i> Amend. 6, 5. <i>See Crimes.</i>			
<i>Publication of Journal</i> - - -	1	5	3
“ of statement of receipt and expenditures of all public money - -	1	9	7
<i>Punishment</i> of members for disorderly behaviour -	1	5	2
“ of counterfeiting - -	1	8	6
“ cruel, not to be inflicted. Amend 8.			
“ according to law, party convicted on impeach- ment liable to - - -	1	3	7
<i>Purchase</i> of places for forts, &c. - -	1	9	17

Q.

	Art.	Sec.	Clause
<i>Qualification</i> of electors of Representatives - - -	1	2	1
“ of Representatives - - -	1	2	2
“ of Senators - - -	1	3	3
“ of President - - -	2	1	5
“ of Vice-President. Amend. 12. c. 3.			
“ of electors of President and Vice-President	2	1	2
“ no religious test shall be required as a qualification - - -	6		3
“ of its members, each house shall judge of	1	5	1
<i>Quorum</i> for business, a majority of either house: smaller number may adjourn, &c. -	1	5	1
“ for choosing President in House of Representatives. Amend. 12. - - -	2	1	3
“ in choosing Vice-President in Senate. Am. 12. c. 2.			

R.

<i>Ratification</i> of constitution - - -	7		
“ of amendments - - -	5		
<i>Rebellion</i> - - -	1	9	2
<i>Receipts</i> , and expenditures of public money -	1	9	7
<i>Recess</i> of the Senate - - -	2	2	3
<i>Re-consideration</i> of bill, &c., returned by President -	1	7	2, 3
<i>Records</i> and judicial proceedings - - -	4	1	
<i>Religion</i> , law respecting establishment, and free exercise Amend. 1.			
“ test - - -	6		
<i>Removal</i> of President and Vice-President from office	2	1	6
“ of civil officers, on impeachment - - -	2	4	
<i>Re-passed</i> - - -	1	7	3
<i>Representatives</i> , qualifications of electors of -	1	2	1
“ chosen for two years, how -	1	2	1
“ times, places and manner of election -	1	4	
“ qualifications, age, citizenship and residence - - -	1	2	2

	Art.	Sec.	Clause.
" apportioned according to federal numbers	1	2	3
" number shall not exceed one for every 30,000, but each State shall have at least one	- - 1	2	3
" vacancies, how filled	- 1	2	4
" shall not be electors of President and Vice- President	- - 2	1	2
" shall hold no office under United States	1	6	2
" bound by oath to support Constitution United States	- - 6		3
" from each State, have one vote in choice of President, by House. Amend. 12.			
c. 1.	- - 2	1	3
" one or more, from two-thirds of the States, shall be present at choice of President. Amend. 12, c. 1.	- - 2	1	3
<i>See House of Representatives : Houses of Congress.</i>			
<i>Reprieves</i>	- - - 2	2	1
<i>Republican</i> form of Government	- - 4	4	
<i>Reservation</i> of powers. Amendment 10.			
<i>Residence</i> , of Representative	- - 1	2	2
" of Senator	- - - 1	3	3
" of President	- - - 2	1	4
" of Vice-President. Amend. 12, c. 3.			
<i>Resignation</i> of Senator	- - - 1	3	2
" of President	- - - 2	1	6
" of Vice-President	- - - 2, 1	1, 3	6, 5
<i>Resolution</i> requiring concurrence, to be presented for ap- proval, &c.	- - - 1	7	3
<i>Returns</i> of Members	- - - 1	5	1
<i>Revenue</i> , bills for raising	- - - 1	7	1
" no regulation of, to give preference	- 1	9	6
<i>See Taxes : Money.</i>			
<i>Right</i> , exclusive, to authors and inventors	- 1	8	8
<i>Rights</i> declared. Amend. 1-9.			
" enumeration of certain, shall not be construed to deny or disparage others. Amend. 9.			

	Art.	Sec.	Clause
<i>Roads</i> , post - - - -	1	8	7
<i>Rules</i> of its proceedings, each House to determine -	1	5	2
“ of naturalization - - -	1	8	4
“ for government of land and naval forces -	1	8	14
“ respecting the territory and property of U. S.	4	3	2
“ of the common law. Amend. 7.			

S.

<i>Science</i> , progress of, to promote - - -	1	8	8
<i>Searches</i> and seizures. Amend 4.			
<i>Seas</i> , high, felony on - - -	1	8	10
<i>Seat</i> of Government, District of ten miles, -	1	8	17
“ “ votes for President and Vice-President to be transmitted to. Am. 12, c. 1.	2	1	3
<i>Secrecy</i> - - - -	1	5	3
<i>Securities</i> of the United States - - -	1	8	6
<i>Senate</i> , Vice President shall be President of -	1	3	4
“ equally divided, Vice-President shall vote -	1	3	4
“ shall choose other officers and President <i>pro tem</i> , when, &c. - - -	1	3	5
“ shall have sole power of trying impeachments, and how - - -	1	3	6
“ two-thirds shall concur for conviction in case of im- peachment - - -	1	3	6
“ shall choose Vice-President, if two persons have equal votes - - -	2	1	3
“ shall choose, if no person have a majority of votes Amendment, 12, c. 2.			
“ in electing Vice-President, two-thirds a quorum, and a majority necessary to choose. Am. 12, c. 2.			
“ advice and consent to treaties, two-thirds concurring	2	2	2
“ “ “ to nomination of officers	2	2	2
“ during recess of, President to fill vacancies -	2	2	3
“ at the end of their next session, commissions granted by President, during recess, shall expire -	2	2	3
“ of equal suffrage in, no State, by any amendment, shall be deprived, without its consent -	5		

See Houses of Congress: Congress.

	Art.	Sec.	Clause
<i>Senators</i> , two from each State, chosen by the Legislature,			
each to have one vote - - -	1	3	1
" divided into three classes - - -	1	3	2
" vacancies, how filled - - -	1	3	2
" qualifications of, age, citizenship, and residence	1	3	3
" shall not be appointed elector of President and Vice-President - - -	2	1	2
" shall hold no office under the United States	1	6	2
" to be bound by oath to support Constitution United States - - -	6		3
<i>See Senate : Houses of Congress.</i>			
<i>Service</i> of United States, militia in. A. 1, S. 8, C. 16; A. 2, S. 2, C. 1. Amend. 5. <i>See Militia.</i>			
" for a term of years, persons bound to -	1	2	3
" or labor, person held to - - -	4	2	3
<i>Session</i> , at the, of their house, member privileged -	1	6	1
" at the end of the next, of Senate, commissions expire, which were granted in recess -	2	2	3
" during the, of Congress, neither house can adjourn, &c. - - -	1	5	3
<i>Signature</i> of President, to bill - - -	1	7	2, 3
<i>Silver</i> , a tender - - -	1	10	1
<i>Slaves.</i> A. 1, S. 2, C. 3; A. 1, S. 9, C. 1, 4; A. 4, S. 2, C. 3; A. 5. <i>See Persons.</i>			
<i>Soldier</i> , quartered. Amend. 3. <i>See Army.</i>			
<i>Speaker</i> of the House of Representatives, how chosen	1	2	5
<i>Speech</i> , freedom of. Amend. 1. - - -	1	6	1
<i>State</i> , Representative must be inhabitant of -	1	2	2
" Senator " " - - -	1	3	3
" each, shall have at least one Representative	1	2	3
" each shall have two Senators, chosen by its Legislature	1	3	1
" vacancy in representation of, in House, how filled	1	2	4
" " " in Senate, " -	1	3	2
" its number of electors, equal to the whole number of Senators and Representatives -	2	1	2
" one of persons voted for as President, Vice-President shall not be an inhabitant of same, as electors. Amend. 12, C. 1. - - -	2	1	3

	Art.	Sec.	Clause.
<i>State</i> , no one, President during his period of office shall receive emolument from - - -	2	1	7
“ of militia of, when in actual service, President Commander-in-Chief - - -	2	2	1
“ appointment of officers reserved to State -	1	8	16
“ a party to suits in U. S. Courts. Amend 11. -	3	2	1
“ claim of, not to be prejudiced by Constitution -	4	3	2
“ republican form of government guaranteed to	4	4	
“ protection of, against invasion and domestic violence	4	4	
“ shall not, without its consent, be by any amendment deprived of its equal suffrage in the Senate	5		
“ Judges of, bound by supreme law, notwithstanding its constitution or laws - -	6		2
“ members of Legislature, and all executive and judicial officers, to be bound by oath to support the Constitution of the United States - -	6		3
“ no tax or duty to be laid on articles exported from any	1	9	5
„ any, now existing, may admit such persons as it shall think proper, until 1808, without the prohibition of Congress, but a tax or duty of \$10, &c. A. 5	1	9	1
<i>States</i> , votes by, in choosing President by House, each by its representation having one vote. Am. 12, C. 1.	2	1	3
“ two-thirds, a quorum in electing a President in the House, and majority of <i>all</i> , necessary to the choice of President in the House. Am. 12, C. 1	2	1	3
“ commerce among the several - -	1	8	3
“ no preference of the ports of one over those of another	1	9	6
“ vessels from or to one, not obliged to enter, clear or pay duties in another - -	1	9	6
“ full faith and credit in each, to the acts, records and judicial proceedings of any other - -	4	1	
“ citizens of each, entitled to privileges of citizens in others - - - -	4	2	1
“ fugitive from justice from one, to be delivered up by another - - - -	4	2	2

<i>States</i> , slave escaping from one into another, to be delivered up, and shall not, by any law or regulation, be discharged from service					
	-	-	4	2	3
“ new, may, be admitted by Congress : shall not be formed within the jurisdiction of another, nor any by junction of two, or parts, without consent of Legislatures, as well as of Congress					
	-		4	3	1
“ two-thirds of them, by Legislatures, may apply for a Convention to propose amendments, and three-fourths may ratify amendments by Legislatures or Conventions, as may be proposed by Congress					
			5		
“ nine, ratifying by Convention, the Constitution shall be established between them					
	-		7		
“ present, in Convention, unanimously consented to the Constitution. <i>Conclusion.</i>					
“ controversies between two or more citizens of different States, &c., to which the judicial power shall extend. Amend. 11.					
	-	-	3	2	1
“ the trial of crimes shall be in the State where the crimes were committed					
	-	-	1	2	3
“ a Jury of the State and District. Amend. 6.					
“ powers not delegated to United States, nor prohibited to the States, are reserved to the States, or people. Amend. 10.					
<i>State prohibited from</i> entering into any treaty, alliance or confederation					
	-	-	1	10	1
“ “ granting letters of marque and reprisal					
	-	-	1	10	1
“ “ coining money					
	-	-	1	10	1
“ “ emitting bills of credit					
	-		1	10	1
“ “ making any thing but gold and silver a tender in payment of debts					
			1	10	1
“ “ passing any bill of attainder, ex post facto law, or law impairing the obligation of contracts					
	-		1	10	1
“ “ granting any title of nobility					
			1	10	1

	Art.	Sec.	Clause.
<i>State prohibited from</i> , without the consent of Congress, laying any imposts or duties, on imports or exports, not absolutely necessary for its executing its inspection law: the produce of duties and imposts laid by it shall be for the use of U. S. Treasury, and its inspection laws shall be subject to the revision and control of Congress	1	10	2
“ “ laying any duty on tonnage: keeping troops or ships of war, in time of peace: entering into any agreement or compact, with another State, or with a foreign power: engaging in war, unless actually invaded, or in such imminent danger: or will not admit of any delay	1	10	3
<i>See Legislature of any State: Executive authority of State.</i>			
<i>Suffrage</i> , equal in Senate	-	-	5
<i>Sundays</i>	-	-	1 7 2
<i>Supreme Court. See Courts.</i>			
“ law of the land	-	-	6 2

T.

<i>Taxes</i> , direct, apportioned according to federal numbers	1	2	3
“ capitation or direct, shall be laid only in proportion to census. A. 5	-	-	1 9 4
“ Congress shall have power to lay and collect, &c.	1	8	1
“ no tax or duty on exports from State	-	1	9 5
“ no tax or duty exceeding \$10, each, on <i>such</i> persons before 1808	-	-	1 9 1
<i>See Duties.</i>			
<i>Tender</i> in payment of debts	-	-	1 10 1
<i>Term</i> of Representative	-	-	1 2 2
“ of Senator	-	-	1 3 2
“ of President and Vice-President	-	-	2 1 1

	Art.	Sec.	Clause
<i>Term</i> of Commissions granted in recess -	2	2	3
“ of appropriation for support of armies -	1	8	12
<i>Territory</i> - - - - -	4	3	2
<i>Test</i> , no religious - - - - -	5		3
<i>Time</i> of voting for Senators and Representatives	1	4	1
“ of adjournment, in case of disagreement as to, President may adjourn both Houses to such time as he shall think proper - -	1	3	
<i>See Day: Residence.</i>			
<i>Title</i> of nobility - - - - -	1	9, 10	8, 1
<i>Tonnage</i> , duty on - - - - -	1	10	3
<i>Tranquility</i> , to ensure domestic. <i>Preamble.</i>			
<i>Treason</i> , defined - - - - -	3	3	1
“ testimony of two witnesses or confession in open court necessary for conviction of -	3	3	1
“ punishment may be declared by Congress but attainder of, shall not be extended beyond life	3	3	2
“ excepted from privilege - - -	1	6	1
“ ground of impeachment - - -	2	4	
“ a person charged in any State with, and fleeing	4	2	2
<i>Treasury</i> , money drawn from, only through appropriations by law - - - - -	1	9	7
“ of United States compensation of member paid out of - - - - -	1	6	1
“ “ for the use of, shall be the nett produce of imposts and duties laid by State -	1	10	2
<i>Treaties</i> made by President, with the advice and consent of Senate, two-thirds concurring -	2	2	2
“ all cases arising under, judicial power extends to	3	2	1
“ no State shall enter into - - -	1	10	1
“ part of the Supreme law of the land - - -	6		2
<i>Trial</i> , of impeachments - - - - -	1	3	6
“ <i>according to law</i> , party convicted liable to -	1	3	7
“ of all crimes, (except in cases of impeachment,) shall be by jury, and in State where committed, or if not committed in any State, where Congress by law may have directed - - - - -	3	2	3

	Art.	Sec.	Clause
<i>Trial</i> , for treason - - - - -	3	3	
“ speedy and public, by an impartial jury of the State and District, &c. Amend. 6.			
“ by jury, in suits at Common law, value above \$20. Amend. 7.			
<i>Troops</i> . See <i>Army</i> . - - - - -	1	10	2
<i>Trust</i> , public - - - - -	6		3
“ office of. A. 1, S. 9, C. 8; A. 1, S. 3, C. 7; A. 2, S. 1, C. 2.			

U.

<i>Uniform</i> duties, &c. - - - - -	1	8	1
“ rule of naturalization, and laws of bankruptcy	1	8	4
“ regulations of commerce and revenue -	1	9	6
<i>Union</i> , more perfect. <i>Preamble</i> .			
“ States within this - - - - -	1	3	3
“ laws of the - - - - -	1	8	15
“ information of the state of the -	2	3	
“ into this - - - - -	4	3	1

V.

<i>Vacancy</i> of Representative, how filled - - -	1	2	4
“ Senator - - - - -	1	3	2
“ officers of United States - - - - -	2	2	2
“ in recess of Senate - - - - -	2	2	3
“ of President - - - - -	2	1	6
“ of President and Vice-President -	2	1	6
<i>Value</i> of coin - - - - -	1	8	5
“ in controversy above \$20. Amend. 7.			
<i>Vessels</i> bound to and from one State to another	1	9	6
<i>Veto</i> of President - - - - -	1	7	2

	Art.	Sec.	Clause.
<i>Vice-President</i> , how elected. Amend. 12, c. 1, 2. -	2	1	3
“ qualifications of. Amend. 12, c. 3.			
“ to be President of Senate, but vote only when it is equally divided -	1	3	4
“ to discharge duties of President in certain cases - - -	2	1	6
“ in case of his removal or disability, who shall act - - -	2, 1	1, 3	6, 5
“ liable to impeachment -	2	4	
<i>Violence</i> , domestic - - -	4	4	
<i>Vote</i> , Vice-President shall have, only when Senate is equally divided - - -	1	3	4
“ each Senator to have one. A. 5. - -	1	3	1
“ for President and Vice-President, how given, sent, opened, counted, &c. Amend. 12, c. 1. -	2	1	3
“ by States, in choosing President in House. Amend- ment 12, c. 1. - - -	2	1	3
“ requiring concurrence of Houses to be presented to President - - -	1	7	3
“ by yeas and nays, and to be entered on journal, in re- considering matter disapproved by President	1	7	2
<i>Voters.</i> See <i>Electors</i> .			

W.

<i>War</i> , Congress may declare - - -	1	8	11
“ State shall not - - -	1	10	3
“ levying war against United States: <i>Treason</i>	3	3	1
“ in time of, soldiers quartered: Amend. 3.			
<i>Warrants</i> for searches or seizures, how to issue. Am. 4.			
<i>Weights</i> and measures - - -	1	8	5
<i>Welfare</i> , general, to promote. <i>Preamble</i> .			
“ to provide for - - -	1	8	1
<i>Writ</i> s of election - - -	1	2	4

	Art.	Sec.	Clause.
<i>Witnesses</i> , two, to convict of treason - -	3	3	1
“ against himself, in capital or infamous crime. Amend. 5.			
“ to be confronted with the. Amend. 6.			

Y.

<i>Yeas and Nays</i> entered on the journal of either house at the desire of one-fifth of those present	1	5	3
“ entered on journal, in cases of re-considering matter disapproved by President	1	7	2

YD 08540

